

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

JANUARY 7, 2008
9:00 A.M.

A G E N D A

CALL TO ORDER – Chairman Brown

INVOCATION – Commissioner Paschal

PLEDGE OF ALLEGIANCE

I. PRESENTATION OF EMPLOYEE OF THE MONTH - Joe Cherry (page 1)

II. ADDITIONAL AGENDA

III. APPROVAL OF CONSENT AGENDA (All items listed below are routine and will be approved by one motion. No separate discussion will be held except by a request of a member of the Board).

- A. Minutes from December 3, 2007 regular meeting (pages 2-10)
- B. Minutes from the December 6, 2007 adjourned meeting (pages 11-13)
- C. Tax Releases and Refunds for November 2007 (pages 14-18)
- D. Amendments to Unified Development Ordinance (UDO) (pages 19-27)
- E. Amendment to fee schedule for third party review of telecommunication towers (pages 28-44)
- F. Grant Project Ordinance for 2005 CDBG Project (pages 45-47)
- G. Resolution of Appreciation for O. T. Sloan, Jr. family (pages 48-50)

IV. PUBLIC COMMENTS

V. NEW BUSINESS

- A. Consider letter of resignation from Commissioner Kirk Smith – Chairman Brown (pages 51-54)
- B. Consider election of a new County Commissioner from District 2 – Chairman Brown (pages 55-60)
- C. Firefighters Relief Funds for Northwest Pocket and Tramway Fire Districts – Lisa Minter (pages 61-65)

- D. Convenience Center Decal Program – Joe Cherry (pages 66-73)
- E. Purchase of GPS monitors for Pretrial Release Program – Brenda Potts (page 74-76)

VI. MANAGER'S REPORT

- A. Monthly Financial Report for month ending November 30, 2007 – Lisa Minter (pages 77-81)

VII. COMMISSIONERS COMMENTS

CLOSED SESSION

- A. Closed session per North Carolina Gen Stat 143-318.11 (a) (6) to discuss a personnel matter

ADJOURN

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. 1.

☒ Information
☐ Action Item
☐ Consent Agenda

SUBJECT: January 2008 Employee of the Month

DEPARTMENT: Administration (Workplace Enhancement Committee)

CONTACT PERSON: Lesa E. Price, Strategic Initiatives Director

REQUEST: Award January 2008 Employee of the Month

SUMMARY: The Employee Selection Committee for the Employee of the Month program is proud to announce that Ms. Kristin Sasser, Park Naturalist, with San-Lee Park, Lee County Parks and Recreation, has been selected as the *January 2008 Employee of the Month*. The committee requests to have the Chairman of the Lee County Board of Commissioners present Ms. Sasser her awards. She will receive a day off with pay, a Star Award, a framed certificate, a pizza, compliments of Papa John's, Coca Cola products, compliments of Sanford Coca Cola Bottling Co. and a movie rental, compliments of Movie Gallery.

BUDGET IMPACT: N/A

ATTACHMENT(S): N/A

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Award Ms. Kristin Sasser, Park Naturalist, with San-Lee Park, Lee County Parks and Recreation, as Lee County's *January 2008 Employee of the Month*.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. A.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT: Minutes from the December 3, 2007 Regular Meeting

DEPARTMENT: Governing Body

CONTACT PERSON: Gaynell Lee, Clerk to the Board

REQUEST: Approve Minutes recorded at the December 3, 2007 regular meeting

SUMMARY: A "draft" copy of the Minutes from the December 3, 2007 meeting has been prepared for approval. Once approved, the Minutes will be indexed and recorded at the Register of Deeds Office.

BUDGET IMPACT: N/A

ATTACHMENT(S): "Draft" copy of Minutes from December 3, 2007 regular meeting

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve Minutes as presented pending revisions

LEE COUNTY

Committed Today for a Better Tomorrow

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF LEE, STATE OF NORTH CAROLINA

DECEMBER 3, 2007

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook. Commissioner Kirk D. Smith had been excused to attend an out-of-state meeting.

Chairman Brown called the meeting to order and the following business was transacted:

Commissioner Kelly delivered the invocation.

The pledge of allegiance was recited.

At this time, County Attorney K. R. Hoyle presided over the meeting for the election of a Chairman and Vice-Chairman. Mr. Hoyle told the Board the first order of business was the election of a Chairman for a one-year term. The Board agreed to vote by using signed ballots. Ballots were distributed and tabulated with the following votes recorded:

<u>COMMISSIONER</u>	<u>VOTED FOR</u>
Brown	Brown
Kelly	Brown
Lemmond	Brown
Paschal	Brown
Reives	Brown
Shook	Brown
Smith (absent)	N/A

Mr. Hoyle announced that Commissioner Robert H. Brown had been elected Chairman for the coming year by a unanimous vote.

Mr. Hoyle called for the election of a Vice-Chairman for a one-year term. Ballots were distributed and tabulated with the following votes recorded:

COMMISSIONERVOTED FOR

Brown	Lemmond
Kelly	Lemmond
Lemmond	Lemmond
Paschal	Kelly
Reives	Lemmond
Shook	Lemmond
Smith (absent)	N/A

Mr. Hoyle announced that Commissioner Lemmond had received five (5) votes and Commissioner Kelly had received one (1) vote, and therefore Commissioner Jerry M. Lemmond had been elected Vice-Chairman for the coming year by a five to one vote.

Mr. Hoyle asked the Board to consider a *Resolution to Set the Meeting Schedule for Regular Meetings*. Commissioner Lemmond moved to approve the resolution as presented, a copy of which is attached to these minutes and by this reference made a part hereof. The meeting schedule will remain as it currently is with the Board meeting the first and third Monday of each month at 9:00 a.m. and 3:00 p.m. respectively. Joint public hearings with the Lee County Planning Board will be held the third Monday of each month at 7:00 p.m. if required. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

Mr. Hoyle ruled the motion had been adopted unanimously.

Mr. Hoyle told the Board each year at the first meeting in December, the Board must approve official bonds for the following employees:

- Sheriff (\$25,000)
- Register of Deeds (\$50,000)
- Every other officer of the county who is required by law to give a bond for the faithful performance of his/her duties, which in our case are the following:
 - Tax Administrator (\$100,000)
 - Finance Officer (\$100,000)
 - Any employee who handles \$100.00 or more at any one time.

Commissioner Kelly moved to approve the above stated bonds as recommended by the County Attorney. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

Mr. Hoyle ruled the motion had been adopted unanimously.

At this time, the meeting was turned over to Chairman Brown.

Ms Mary Yow from the Employee Selection Committee introduced Ms. Stella Headen, Vital Records Deputy Registrar, with the Lee County Health Department as the *December 2007 Employee of the Month*. Chairman Brown presented Ms. Headen with her awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza, compliments of Papa John's Pizza, Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery.

Social Services Director Brenda Potts introduced new employee Ms. Kelly Cobb, Adoption Foster Care Social Worker. Chairman Brown presented Ms. Cobb with a Lee County pin.

The Board considered additions/changes to the agenda. County Attorney K. R. Hoyle asked the Board to consider a Declaration showing the County has acquired 9.45 acres of land located in Lee County to be used for recreational purposes. County Manager John Crumpton asked the Board to (1) approve a bid from The Wooten Company for administration services for the 2005 CDBG Scattered Site Housing Program Project, and (2) approve a letter of support from BRAC to complete a Regional Working Land Study to identify agricultural areas of the region and develop land conservation plans to preserve farm land in the area. Mr. Crumpton also asked that item "D" (Amendment to Triangle TARPO Memorandum of Understanding) be pulled from the Consent Agenda, per Triangle J's request. Commissioner Lemmond asked that items "N & O" be pulled from the Consent Agenda (grant requests for a Drug Enforcement Agent and Gang Officer) for further discussion.

Commissioner Lemmond moved to approve the agenda as amended. Upon a vote, the results were as follows:

Aye:	Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay:	None
Absent:	Smith

The Chairman ruled the motion had been adopted unanimously.

Commissioner Paschal moved to approve the Consent Agenda as amended, which consisted of the following items:

- Minutes from the November 5, 2007 regular meeting;
- Minutes from the November 15, 2007 special meeting;
- Tax Releases and Refunds for October 2007 (copy attached);
- Lee County Public Health Pandemic Influenza Plan;
- Application for State Aid to Public Libraries (copy attached);
- Resolution in recognition of Mr. Bobby Powell for winning *Long Leaf Pine Award* (copy attached);
- Resolution to Adopt the Comprehensive Transportation Plan (copy attached);
- Annual appointment of Animal Cruelty Investigators;
- Acceptance of Healthy Carolinians Grant award in the amount of \$12,048;
- Budget amendment # 12/3/07/#12 (copy attached);
- Acceptance of NFL Youth Football Fund Grant in the amount of \$2,000;
- Acceptance of \$6,900 from New Atlantic Contracting for damaged storage building;
- and
- Deep River-Northview Optimist Club Lease Agreement (copy attached).

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The following citizens spoke during the *Public Comments* section of the meeting:

<u>NAME</u>	<u>ADDRESS</u>	<u>TOPIC</u>
Mr. Wade Childress	143 Wildlife Road	Incentives
Ms. Amy Dalrymple	149 Dalrymple Farm Road	LCHS
Mr. Lloyd Kent	4272 Cox Mill Road	LCHS
Mr. Eugene Barufkin	376 Kittery Point	Electoral Districts

At this time, the Board held a public hearing that had been advertised for this date and time to hear comments concerning an economic development project with the Lee County Economic Development Corporation (EDC) and Moore's Machine manufacturing plant. Economic Development Director Bob Heuts informed the Board that Moore's Machine Company had purchased the old Eagle Electric building located on McNeill Road and had applied for incentive grants totaling up to \$166,950.00.

Chairman Brown opened the public hearing. Economic Development Director Bob Heuts and EDC Chairman John Daniel spoke in favor of the proposed incentive agreement. Mr. Wade Childress spoke against the incentive agreement in his statement during the *Public Comments* section of the meeting. Chairman Brown closed the public hearing.

After further discussion, Commissioner Paschal moved to approve an *Agreement for the Grant of County of Lee Funds for Moore's Machine Company*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, and Reives
 Nay: Shook
 Absent: Smith

The Chairman ruled the motion had been adopted by a five to one vote.

At this time Ms. Susan Feindel, Chairman of the Board of Elections presented information on the proposal for precinct changes across Lee County. Ms. Feindel stated that after holding a public hearing on October 10, 2007, changes to precinct boundaries, names and/or precinct numbers and polling place changes were being recommended to the United States Department of Justice. No action was taken.

The Board considered a purchase order for \$234,540.68 to purchase seven (7) replacement vehicles for the County of Lee Transit System. Senior Services Director Debbie Davidson stated to the Board that grant funding through the North Carolina Department of Transportation had been included in the FY 2007-08 budget. North Carolina Department of Transportation will reimburse Lee County for 90% of the cost for the requested vehicles, with Lee County only paying \$23,454.00 of the required match. After some discussion, Commissioner

Reives moved to approve the purchase order in the amount of \$234,540.68 to purchase seven (7) vans for the County of Lee Transit System, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered the implementation of the new KRONOS payroll schedule. Finance Director Lisa Minter stated in back-up information furnished to the Board the County's plan to move from a monthly payroll cycle that pays employees in advance of time worked to a bi-weekly payroll cycle that will pay employees in arrears. Commissioner Reives moved to approve the new payroll schedule as presented in the back-up information furnished to the Board. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered an agreement for Code Enforcement with the City of Sanford. County Manager John Crumpton asked the Board to consider an *Agreement with the City of Sanford to Perform Code Enforcement Services in the Unincorporated Areas of the County*. The contract would add an additional Code Enforcement Officer in the Community Development Department with the County paying for the additional officer plus support for the supervision and overhead for that department. The City department would enforce abandoned automobiles, overgrown lots, and nuisance ordinances. Mr. Crumpton's recommendation was to forward the matter to the Finance Committee for further study and a recommendation to the full Board. After discussion, Commissioner Reives moved to table the matter until more information can be obtained as to what type ordinances will be handled and the kind and type of complaints that have been received. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered the meeting schedule for the month of January 2008. After some discussion, Commissioner Lemmond moved to hold a meeting on Monday, January 7, 2008 (9:00 a.m.), and Tuesday, January 22, 2008 (3:00 p.m.). Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented a power-point presentation on the FY 2006-2007 Financial Statement for the year ending June 30, 2006. Ms. Paula Hodges, Audit Manager for Martin Starnes & Associates, CPA's also addressed the Board briefly and stated Lee County was in good shape. Commissioner Reives moved to accept the FY 2006-2007 Financial Statement as presented. Upon a vote, the results were as follows:

Aye:	Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay:	None
Absent:	Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from the Sheriff's Office to apply for two-year grants for a new Drug Enforcement Agent and a Gang Officer. Commissioner Lemmond questioned if the grants are approved by the Governor's Crime Commission who will fund the positions after the two years are up. Chief Deputy Randall Butler stated his office would be able to re-apply for additional funding if the programs prove to be positive. If not, funding will have to come from their budget. It was asked that employees hired with grant funds be told during the interview process the position may not be funded once the grant expires. After further discussion, Commissioner Lemmond moved to approve for the Sheriff's Office to apply for a Drug Enforcement Agent grant and a Gang Officer grant as presented. Upon a vote, the results were as follows:

Aye:	Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay:	None
Absent:	Smith

The Chairman ruled the motion had been adopted unanimously.

County Attorney K. R. Hoyle presented a Declaration for the 9.45 acres of land located in Lee County that had been donated by the O. Temple Sloan family for property located next to O. T. Sloan Park on Bragg Street. Mr. Hoyle stated the property had to be used for recreational purposes for the next fifty (50) years. After some discussion, Commissioner Lemmond moved to approve the Declaration for property located on Bragg Street donated by the O. Temple Sloan family, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye:	Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay:	None
Absent:	Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered a bid for the Community Development Block Grant (CDBG) project that the Division of Community Assistance recently approved an extension on to complete. County Manager John Crumpton advised the Board that only one bid had been received from The Wooten Company for administrative services for the 2005 CDBG Scattered Site Housing Program project. After some discussion, Commissioner Kelly moved to award the bid to The Wooten Company to offer administrative services for the 2005 CDBG Project. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from BRAC for a Working Lands Grant proposal. County Manager John Crumpton told Board members that BRAC is requesting the County participate in a Regional Working Land Study which will identify key agricultural areas of the region and develop land conservation plans that preserve farm land in the area. The grant will be provided by the North Carolina ADFP Trust Fund. Mr. Crumpton stated that all Extension Offices in the State are beginning to work on farm land protection plans so this grant will assist with our local office in developing their plan. A local match of \$41,000 will be required but can be committed to by in-kind services of local personnel. It was noted that at the end of the project, Lee County would have (1) a Farmland Protection Plan (FPP) certified by the North Carolina Department of Agriculture, (2) approximately \$100,000 in funds to develop a Pilot Project in sustainable agriculture and farmland protection, (3) a "platform" from which to apply for additional NC ADFP Trust Funds in future grant cycles, with only a 15% match requirement, and (4) an important tool for land planning and strengthening the region's agricultural economy. After some discussion, Commissioner Paschal moved that a letter of support be forwarded to BRAC representatives for the grant application. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the Monthly Financial Report for month ending October 2007. Commissioner Kelly moved to accept the report as presented. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
 Nay: None
 Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton briefly discussed the 9.45 acre donation from the Sloan family for property located adjacent to O. T. Sloan Park. The amount of stock that Mr. Sloan gifted to Lee County covered the closing on the property; with the total gift at \$463,936. A total of \$2,800 was left over that will go into the General Fund. No action was taken.

County Manager John Crumpton reported to the Board a priority list he had received from the Board of Education on improvements at Lee Senior High School. It was stated that renovations are now asked to be spread over more years and into two phases. The project will be addressed during the upcoming Capital Improvement Plan (CIP). Commissioner Shook asked to see maintenance reports for the past few years for the subject school. No action was taken.

Commissioner Paschal asked that the North Carolina Department of Transportation complete a traffic study on Pendergrass Road and Franklin Drive. This request was made due to the large amount of accidents that have taken place on these roads.

Commissioner Reives asked that a thank-you letter be forwarded to the Sloan family for their generous contribution to Lee County.

Chairman Brown stated that committee appointments will stay as is for the upcoming year. Chairman Brown further stated he would be coming off the Finance Committee and placing Commissioner Shook in that vacant position, with Commissioner Reives remaining as Chairman of the Committee, along with Commissioner's Kelly and Shook as members.

Chairman Brown recessed the meeting till 7:00 p.m.

The meeting resumed at 7:00 p.m. in Courtroom # 4 at the old Lee County Courthouse. Commissioner's present included Robert H. Brown, Jerry M. Lemmond, and Linda A. Shook. Commissioner's James C. Kelly, Nathan E. Paschal, and Robert T. Reives had been excused. Commissioner Kirk D. Smith was out-of-town attending a conference. Chairman Brown called the meeting to order and opened the public hearing.

Planner Althea Thompson outlined the advertised rezoning petition by the Lemon Springs Volunteer Fire Department to rezone 1.28 acres of land on Pine Forest Road (SR 1173) from Residential Agricultural (RA) district to Office and Institutional (O & I) district.

Mr. Reid Cagle, Chief of the Lemon Springs Fire Department spoke in favor of the rezoning request.

No one present spoke in opposition to the rezoning request.

Chairman Brown closed the public hearing.

With no further business to come before the Board, Commissioner Lemmond moved to adjourn the meeting until 3:00 p.m., Thursday, December 6, 2007, in the County Manager's Office at the Lee County Government Center. Upon a vote, the results were as follows:

Aye:	Brown, Lemmond, and Shook
Nay:	None
Absent:	Kelly, Paschal, Reives, and Smith

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

ATTEST:

Robert H. Brown, Chairman
Lee County Board of Commissioners

Gaynell M. Lee, Clerk

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. B.☐ Information☐ Action Item☒ Consent Agenda

SUBJECT: Minutes from the December 6, 2007 Adjourned Meeting

DEPARTMENT: Governing Body

CONTACT PERSON: Gaynell Lee, Clerk to the Board

REQUEST: Approve Minutes recorded at the December 6, 2007 adjourned meeting

SUMMARY: A "draft" copy of the Minutes from the December 6, 2007 adjourned meeting has been prepared for approval. Once approved, the Minutes will be indexed and recorded at the Register of Deeds Office.

BUDGET IMPACT: N/A

ATTACHMENT(S): "Draft" copy of Minutes from December 6, 2007 adjourned meeting

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve Minutes as presented pending revisions

LEE COUNTY

Committed Today for a Better Tomorrow

DRAFT

MINUTES OF THE ADJOURNED MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

DECEMBER 6, 2007

The adjourned meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3:00 p.m. in the County Manager's Conference Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, and Linda A. Shook. Commissioner Kirk D. Smith had been excused due to an out-of-state conference, and Commissioner Robert T. Reives participated via telephone. County Attorney K. R. Hoyle, County Manager John A. Crumpton, and Clerk to the Board Gaynell M. Lee were also present.

Chairman Brown called the meeting to order and stated the meeting was a continuation from the December 3, 2007 meeting. The following business was transacted:

The Board considered a recommendation from the Planning Board in reference to a rezoning petition submitted by the Lemon Springs Volunteer Fire Department to rezone 1.28 acres of land on Pine Forest Road (SR 1173) from Residential Agricultural (RA) district to Office and Institutional (O & I) district. Commissioner Reives moved to approve the recommendation of the Planning Board and an *Ordinance Amending the Lee County Zoning Map*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye:	Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay:	None
Absent:	Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered a *Resolution Authorizing the Execution of CDBG Documents*. Commissioner Reives moved to approve the above-referenced Resolution, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay: None
Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

The Board considered a *Modification Agreement* to the County Manager's Employment Contract which extended his "temporary living expenses" by an additional three (3) months (from five months to eight months). Commissioner Reives moved to approve the Modification Agreement to the County Manager's Employment Contract, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay: None
Absent: Smith

The Chairman ruled the motion had been adopted unanimously.

With no further business to come before the Board, Commissioner Reives moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, and Shook
Nay: None
Absent: Smith

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

Robert H. Brown, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. C.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT: Tax Release and Refund Report for November 2007

DEPARTMENT: Tax Administration

CONTACT PERSON: Dwane Brinson, Tax Administrator

REQUEST: Approval of releases and refunds for November 2007

SUMMARY: A release or refund is necessary to adjust or correct an existing tax bill that is in error. North Carolina General Statute 105-381 (b) requires the governing body to determine the release or refund of a tax.

BUDGET IMPACT: N/A

ATTACHMENT(S):

- (1) Real Property Abatement Report;
- (2) Personal Property Abatement Report
- (3) Real Property Waste Fee Abatement Report
- (4) Release Code Descriptions

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve Tax Releases and Refunds for November 2007 as presented.

Real Property Abatement Report

015

From 11/1/2007 To 11/30/2007

Release
Code

Value

County

City

Fire

Total

Release
Code

2007

Release

HABITAT FOR HUMANITY,	\$2,600.00	\$19.50	\$14.30	\$0.00	\$33.80	T-9/1
HABITAT FOR HUMANITY,	\$4,400.00	\$33.00	\$24.20	\$0.00	\$57.20	T-9/1
HABITAT FOR HUMANITY,	\$7,500.00	\$56.25	\$41.25	\$0.00	\$97.50	T-9/1
HABITAT FOR HUMANITY,	\$6,500.00	\$48.75	\$35.75	\$0.00	\$84.50	T-9/1
HABITAT FOR HUMANITY,	\$6,400.00	\$48.00	\$35.20	\$0.00	\$83.20	T-9/1
LETT, GILBERT	\$10,400.00	\$78.00	\$0.00	\$7.59	\$85.59	TA5
MENDOZA, SIXTO ALVAREZ	\$20,500.00	\$153.75	\$112.75	\$0.00	\$266.50	TA04
SANFORD MASONIC LODGE,	\$10,000.00	\$75.00	\$55.00	\$0.00	\$130.00	T-1
SMITH, JR, WILLIAM D.	\$51,600.00	\$387.00	\$0.00	\$36.64	\$423.64	TA2
Release Totals:	\$119,900.00	\$899.25	\$318.45	\$44.23	\$1,261.93	

DEC 05 2007



Personal Property Abatement Report

016

From 11/1/2007 To 11/30/2007

	Value	County Tax	County Penalty	District Tax	District Penalty	Total	Release Code
2007							
Release							
CHAVEZ, BENJAMIN	\$12,480.00	\$93.60	\$9.36	\$68.64	\$6.86	\$178.46	T-2
EDINGTON, JESSE	\$7,770.00	\$58.28	\$5.83	\$5.21	\$0.52	\$69.84	TO-5
FUNES, REYDILIO	\$13,460.00	\$100.95	\$10.10	\$9.02	\$0.90	\$120.97	TO-2
SLOAN, BENNY	\$16,290.00	\$122.18	\$0.00	\$11.89	\$0.00	\$134.07	T-2
UNDERWOOD, RONALD	\$3,650.00	\$27.38	\$2.74	\$2.74	\$0.27	\$33.13	T-2
VERIZON WIRELESS,	\$200,000.00	\$1,500.00	\$150.00	\$1,100.00	\$110.00	\$2,860.00	T-10
Release Total :	\$253,650.00	\$1,902.39	\$178.03	\$1,197.50	\$118.55	\$3,396.47	

2004

Release

WHITIN ROBERTS CO PLANT	\$8,000,000.00	\$53,600.00	\$0.00	\$47,200.00	\$0.00	\$100,800.00	B/SETTLEM
Release Total :	\$8,000,000.00	\$53,600.00	\$0.00	\$47,200.00	\$0.00	\$100,800.00	

2003

Release

WHITIN ROBERTS CO PLANT	\$5,717,187.00	\$38,305.15	\$0.00	\$32,016.25	\$0.00	\$70,321.40	B/SETTLEM
Release Total :	\$5,717,190.00	\$38,305.10	\$0.00	\$32,016.30	\$0.00	\$70,321.40	

2002

Release

WHITIN ROBERTS CO PLANT	\$1,010,762.25	\$7,883.95	\$0.00	\$5,761.34	\$0.00	\$13,645.29	B/SETTLEM
Release Total :	\$1,010,760.00	\$7,883.95	\$0.00	\$5,761.34	\$0.00	\$13,645.30	

From 11/1/2007 To 11/30/2007

Solid Waste Fees

Release Code

2007

Release

CC - Convenience Center

GASTER, WALLACE

\$40.00

VA

CC - Convenience Center Totals:

\$40.00

SSW - City Refuge

MENDOZA, SIXTO ALVAREZ

\$100.00

TA04

SSW - City Refuge Totals:

\$100.00

SW - Waste Disposal

HART, TED

\$40.00

KELLY, OSSIE

\$80.00

VA

SW - Waste Disposal Totals:

\$120.00

RELEASE CODE DESCRIPTIONS

1	ALLOWABLE EXEMPTIONS NOT APPLIED (SENIOR CITIZEN, CHURCH, ETC.)
2	PROPERTY DOUBLE LISTED BY TAXPAYER OR TAX OFFICE
3	TAX SITUS OF PROPERTY OUTSIDE JURISDICTION
4	REAL PROPERTY DATA IN ERROR
5	PERSONAL PROPERTY DATA IN ERROR
6	PROPERTY LISTED TO INCORRECT OWNER
7	LAST LIST PENALTY
8	TAXPAYER LISTED PERSONAL PROPERTY THEY DID NOT OWN
9	PROPERTY REVALUED BY PROPERTY TAX COMMISSION OR BOARD OF E&R
10	PERSONAL PROPERTY ASSESSMENT NO LONGER OWNED OR LISTED IN ANOTHER ACCOUNT NO RESPONSE TO ASSESSMENT LETTER
11	TAX FORECLOSURE SALE
T	TAXPAYER
TO	TAX OFFICE
LR	LAND RECORDS
TA	TAX APPRAISAL
TOS	TAX OFFICE SOFTWARE
TFS	TAX FORECLOSURE SALE
GP	GARBAGE PICKUP
VA	VACANT OR ADJUSTMENT FOR WASTE FEE
CY	CITY OF SANFORD OR TOWN OR BROADWAY
B	BANKRUPTCY SETTLEMENT

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. D.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT: Amendments to the Unified Development Ordinance (UDO), the County's comprehensive set of land management and development regulations.

DEPARTMENT: Sanford-Lee County Community Development

CONTACT PERSON: Marshall Downey, Assistant Director of Community Development

REQUEST: Consider adoption of seven (7) possible amendments to the UDO.

SUMMARY: The amendments, with the exception of Amendment #3 (third party consultation), are corrective in nature and intended to simply update and/or clarify existing policies within the UDO. The amendments were unanimously recommended for approval by the Lee County Planning Board and the Joint Planning Commission.

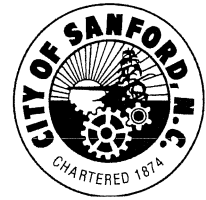
BUDGET IMPACT: N/A

ATTACHMENT(S): (1) Staff report detailing proposed amendments.
 (2) Ordinance Amending Lee County UDO

PUBLIC HEARING: Conducted on October 15, 2007

PRIOR BOARD ACTION: N/A

RECOMMENDATION: The Joint Planning Commission (JPC) met on September 13, 2007, to consider these amendments. The JPC unanimously recommended that all seven amendments be forwarded to the three jurisdictions for consideration of adoption.



MEMORANDUM

TO: Lee County Board of Commissioners
John Crumpton, County Manager

FROM: Marshall Downey, Assistant Director of Community Development *mdj*

DATE: December 27, 2007

REF: Recommendation for the City Planning Board regarding possible amendments to the Unified Development Ordinance (UDO)

The County Planning Board met on the evening of October 15, 2007 and on December 3, 2007 and recommended (unanimously) the following seven (7) amendments for consideration of adoption. Previous to that, the Joint Planning Commission (JPC) met on September 13, 2007 of this year and also recommended (unanimously) the same amendments.

Amendment 1 – Table 4.7-1 add language to clarify that handicap ramps or other similar structure built in order to meet ADA compliance are exempt from setbacks. The purpose of this amendment is straightforward as it would allow planning staff to waive the setbacks for any ramps or similar structures that are constructed for the express purpose of compliance with Americans with Disabilities Act (ADA) as enforced through our Building Inspections office.

Amendment 2 – Sec. 5.1.3 – add language that clarifies that any accessory structure (deck, etc.) located with eighteen (18) inches of a principal structure shall be required to meet the principal structure setbacks. This amendment is intended to eliminate situations wherein an owner or contractor attempts to obtain a permit for a deck based on the premise that the deck should be permitted as an accessory use with minimal setbacks (5 foot side and rear yard). Staff suggests that the intent of the UDO is to require that all parts of a principal structure, including an adjoining or adjacent deck/porch should meet the more stringent principal structure setbacks. A minimum spacing (18 inches recommended) as a rule for defining “accessory” structures, will assist in eliminating confusion over what setbacks should be applied.

Amendment 3 – Sec. 5.33 – add new third party consultant language for new cell tower SUP applications. This amendment will require that special use permit application for new telecommunications tower will be reviewed by an expert third-party consultant that would be retained by our local governments for this express purpose. The expert consultant would review the special use permit application to ensure that the proposed tower specifications and

location are warranted. The Commission will recall that staff presented this concept this past winter and the concept was approved unanimously by the JPC. The delay in implementing this new procedure is related to the selection of a consultant and related contract approval.

Amendment 4 – Sec. 5.33 – add language about fall zone and update setbacks language for lattice towers. More specifically, this amendment will add a “fall zone” requirement to the UDO and will update and simplify the current language for required setbacks for towers, including reducing the requirement on lattice towers from the current standards of two times (2x) the height to a 1 to 1 ratio as is for monopole towers.

Amendment 5 – Sec. 5.34 Temporary Uses (retail)/temporary use permits – Rewrite of section on temporary retail sales to add more stringent time limits for such uses within the City of Sanford and Town of Broadway. No real changes to the rules as applied to Lee County.

Amendment 6 – Sec. 11.10 temporary banners – Rewrite of section to change “banners” to “signs” to cover all types of temporary sign materials. Essentially, this is simply a name change to remove and replace the term banner with the term sign.

Amendment 7 – Sec. 12.5.2.1 Repair & Renovation of nonconformities - Revise language to refer to nonconforming structures and eliminate references to nonconforming uses. Nonconforming uses are addressed under Section 12.4.

A copy of the draft ordinance is attached for your consideration of adoption.

**AN ORDINANCE AMENDING
THE LEE COUNTY UNIFIED DEVELOPMENT ORDINANCE**

BE IT ORDAINED by the Board of Commissioners of the County of Lee, North Carolina that the Unified Development Ordinance be, and it hereby is, amended as follows:

Section 1. Article 4. Zoning District Regulations, Table 4.7-1 Density and Dimensional Regulations be rewritten to include the following additional note:

Note 7: Any ramp or other structure constructed to comply with the standards of the Americans with Disabilities Act (ADA) or other similar Building Code requirement for the purpose of providing handicap access to a building shall be exempt from the required setbacks of this Table 4.7-1.

Section 2. Article 5. Supplemental Development Regulations, Section 5.1 Accessory Uses and Structures, Subsection 5.1.3 be rewritten to include the following additional note:

Note 3: Any accessory structure that will be located within eighteen (18) inches of an exterior wall of a principal structure, shall be required to meet the principal structure setbacks as set forth in Table 4.7-1 of this Ordinance.

Section 3. Article 5. Supplemental Development Regulations, Section 5.33 Telecommunications Towers, Subsection 5.33.2.3 be rewritten as follows:

5.33.2.3 MINIMUM SETBACK AND FALL ZONE REQUIREMENTS.

Towers shall conform to the following dimensional requirements:

(a) For towers located on the roof of a Structures, other than the base or supporting elements of the tower, the tower shall not be more than 30% of the building height above the building, or 75 feet above the building, whichever is less. The building or structure shall maintain the normal setbacks of the zoning district.

(b) For towers mounted on the ground surface:

- The minimum setback from all property boundaries shall be equal to the maximum height of the proposed tower.
- A fall zone shall also be established for each tower. The fall zone is defined as an area within the subject property, which shall be maintained so as to be clear of any buildings within an area equal to the maximum height of the proposed tower as measured by a circle around the base of the tower. Buildings that are constructed for the purpose of housing equipment in support of the communications equipment as located on the tower shall be permitted within the fall zone.

Section 4. Article 5. Supplemental Development Regulations, Section 5.33 Telecommunications Towers be amended to include a new subsection 5.33.8 to be written as follows:

5.33.8 *RETENTION OF CONSULTANTS*

The County shall retain a consultant or professional services to review applications for new towers. The consultant will review all such applications and make determinations and recommendations on relevant issues including, but not limited to, verification of the applicant's due diligence, analysis of alternatives, and compliance with state and federal rules and regulations. The applicant shall pay a fee as part of the special use permit application for the costs of the consulting services as incurred by the County. The County shall require any consultants to disclose any potential conflicts of interest and to hold confidential any proprietary information supplied by the applicant. At the request of the applicant, the Department of Community Development shall arrange an informal consultation with the applicant to review the consultant's report prior to any public hearing on the application.

Section 5. Article 5. Supplemental Development Regulations, Section 5.34 Temporary Uses be deleted in its entirety and rewritten as follows:

5.34 TEMPORARY USES

5.34.1 PURPOSE.

5.34.1.1 This section establishes criteria for particular temporary uses in order to ensure that their operation will not be detrimental to the public health, safety and general welfare, that the use is consistent with the purpose and intent of this Ordinance and the specific zoning district in which it will be located, that the use is compatible in intensity, characteristics and appearance with existing land uses in the immediate vicinity of the temporary use, and that the use, value and qualities of the neighborhood surrounding the Temporary use will not be adversely affected by the use or activities associated with it.

5.34.1.2 This Section permits uses on a short-term basis and certain seasonal or transient uses not otherwise allowed in the applicable zoning district. Prior to conducting or establishing a temporary use, approval of a Temporary Use Permit by the Community Development Department is required pursuant to this Section. The Administrator shall review all applications for a temporary use permit and shall make a determination as to whether the proposed temporary use event conforms to the standards as set forth in this Section 5.34.

5.34.2 STANDARDS.

5.34.2.1 GENERAL STANDARDS FOR ALL TEMPORARY USES. The following standards shall be required for all manner of temporary uses or events.

- There shall be only one temporary use event held at any one time on a given tax parcel.
- The operator of the temporary event shall obtain written permission from the owner of the property onto which the proposed temporary event is planned.

- For any temporary use event, all sale and display items shall not be located within any public street right-of-way, sight triangle or required landscaping planting yard as set forth in Article 7 of this Ordinance.
- No event shall locate in any off-street parking area if such spaces are necessary to meet the minimum number of off-street parking spaces as required by this Ordinance.
- The operator of the temporary use event is responsible for the removal of all equipment, trash or other debris upon cessation of the event.
- No recreational vehicles shall be permitted to be used in conjunction with a temporary use event (except as associated with carnivals or amusement events as set forth under 5.34.2.7, below).

5.34.2.2 TEMPORARY RETAIL SALES (excluding agri-tourism sales). Any person or persons, corporation, or agent who engages in the business of periodic outdoor sales (and/or exhibiting for sale) of retail goods and/or merchandise who in furtherance of such purpose leases, uses or occupies any lot, tract or space shall conform to the following requirements:

- Temporary retail sales may only be permitted only within non-residential zoning districts (NC, O&I, CBD, C-1, C-2, LI, and HI).
- No more than six (6) periodic retail sales events shall be permitted per tax parcel within a given calendar year.
- A periodic retail sales event shall be permitted to operate up to a maximum of ten (10) consecutive days. A minimum thirty (30) day separation shall be required between periodic retail sales events that are to be conducted on the same parcel.
- A single temporary sign (size permitted as set forth in Section 11.10.4 of this Ordinance) shall be allowed for the duration of the temporary sales event.

5.34.2.3 AGRI-TOURISM/SEASONAL SALES. This category is intended to cover the spectrum of all temporary uses or events that are related to agricultural products, including but not limited to seasonal fresh produce stands, seasonal sales of holiday related product, and/or temporary events related to farms and/or farming operations.

- OUTDOOR SEASONAL FRESH PRODUCE STANDS (LEE COUNTY) - The outdoor sale of fresh agricultural produce (commonly know as a “produce stand”) shall be permitted as a temporary use in all zoning districts within the zoning jurisdiction of Lee County. A produce stand shall be permitted up to 120 consecutive days within Lee County’s zoning jurisdiction.
- OUTDOOR SEASONAL FRESH PRODUCE STANDS (CITY OF SANFORD) - The outdoor sale of fresh agricultural produce (commonly know as a “produce stand”) shall be permitted as a temporary use in all non-residential zoning districts within the zoning jurisdiction of the City of Sanford. Said produce stands shall be permitted up to ten (10) consecutive days within Sanford’s zoning jurisdiction.
- OUTDOOR SEASONAL FRESH PRODUCE STANDS (TOWN OF BROADWAY) - The outdoor sale of fresh agricultural produce (commonly know as a “produce stand”) shall be permitted as a temporary use in all non-residential zoning districts within the zoning jurisdiction of the Town of Broadway. Said produce stands shall be permitted up to thirty (30) consecutive days within Broadway’s zoning jurisdiction.
- SEASONAL HOLIDAY SALES – The outdoor sale of Christmas trees, pumpkins or other agricultural products customarily associated with a specific holiday shall be

permitted as a temporary use in all non-residential zoning districts and in the RA District. Seasonal holiday sales shall be permitted up to forty-five (45) consecutive days during the respective holiday season.

- AGRI-TOURISM (LEE COUNTY) - Agri-tourism events in support of any existing bona fide farming operation are permitted as a temporary use in all zoning districts within the zoning jurisdiction of Lee County. Agri-tourism uses may include, but not limited to, the sale of agricultural products as produced from the farm, corn mazes, petting zoos related to customary farm animals, hay rides, and agriculture related educational programs. An agri-tourism event shall be permitted to operate up to a maximum of sixty (60) consecutive days. Such events may include concessions. A single temporary sign shall be allowed in accordance with Section 11.10.2 of this Ordinance. Agri-tourism events are not recognized within the zoning jurisdiction of the City of Sanford and/or the Town of Broadway and any such event must conform to one of the other temporary events as defined in this Section 5.34.

5.34.2.4 SPECIAL EVENTS OF A RELIGIOUS, CHARITABLE OR CIVIC NATURE. Any person or organization that desires to conduct a temporary event that is of a religious, charitable or civic nature shall conform to the following requirements:

- A temporary event of a religious, charitable or civic nature shall be permitted only within non-residential zoning districts (NC, O&I, CBD, C-1, C-2, LI, and HI).
- A temporary event of a religious, charitable or civic nature shall be permitted to operate up to a maximum of thirty (30) consecutive days.
- A single temporary sign (size permitted as set forth in Section 11.10.2 of this Ordinance) shall be allowed for the duration of the temporary event.

5.34.2.5 TEMPORARY CONSTRUCTION USES. Contractors' offices and/or equipment/ storage sheds that are a customary accessory to a construction project (residential or non-residential) may be allowed under a temporary use permit.

- Placement of such a temporary construction units is limited to a period of time determined by an estimated project completion date and as approved by the Community Development Department.
- All temporary buildings shall be completely removed from the site within ten (10) days of issuance of a Certificate of Occupancy.
- Modular office trailers are permitted as a temporary construction use.
- Such a temporary use may be allowed in all zoning districts.

5.34.2.6 TEMPORARY REAL ESTATE USES. Any developer, real estate professional or other similar organization that desires to establish a temporary sales/leasing office within a new residential development shall be permitted one (1) temporary structure under the following conditions:

- A construction trailer, temporary manufactured unit or "model" home may be used as a temporary real estate office in any new construction project for the sale or lease of units within that specific development project only.
- A temporary real estate use may exist until such time that the project is completely sold off or leased out.
- Such a temporary use may be allowed in all zoning districts.

- **MODEL HOME.** A temporary real estate office within a “model home” within a new residential development shall be permitted provided that such home conforms to all applicable building codes.

5.34.2.7 **CARNIVALS AND OTHER AMUSEMENT EVENTS** – Carnivals, amusement rides or other similar events that are not associated with a religious, charitable, or civic organization as set forth under Section 5.34.2.4 shall be permitted as a temporary use in the C-2, HC, LI and/or HI zoning districts. Such temporary events shall be limited to a maximum operating time of ten (10) consecutive days.

5.34.2.8 **SIMILAR AND COMPATIBLE TEMPORARY USES NOT SPECIFIED.** If a particular temporary use is not listed in the Ordinance, the Administrator shall have the authority to grant a temporary use permit for uses that are similar and compatible to those allowed as temporary uses in this Section. Determination of what constitutes similar and compatible shall be made by the Administrator. In such instances, the applicant shall provide the following information: type of use; number of employees; parking/circulation needs; hours of operation; and duration of operation; and any other information as requested by the Administrator.

Section 6. Article 11. Sign Regulations, Section 11.10 Temporary Banners be deleted in its entirety and rewritten as follows:

Section 11.10 TEMPORARY SIGNS

11.10.1 Temporary signs must conform to all regulations of this section. These signs shall not be required to obtain a sign permit but must be registered with the Department of Community Development. Information required to register a temporary banner will be the name and address of sign owner, date of erection of sign, date for removal of sign and description of sign (size, shape and material of construction).

11.10.2 *SIGNS FOR SPECIAL EVENTS OF A RELIGIOUS, CHARITABLE, CIVIC, FRATERNAL, OR POLITICAL NATURE.*

It is the intent of this section to allow the use of banners to communicate community events for the above purposes. Temporary signs advertising special events of a religious, charitable, civic, fraternal or political nature may be erected provided that:

- The size of any such sign shall not exceed twenty-four (24) square feet in area.)
- The sign may not be illuminated.
- The sign may not be displayed earlier than thirty (30) days prior to the event to which they pertain and must be removed within seven (7) days after the event.

11.10.3 *SIGNS FOR NEWLY ESTABLISHED BUSINESSES*

Businesses that are newly established or have changed locations may display a temporary sign as defined by Appendix A provided that:

- The size of any such sign is not in excess of twenty-four (24) square feet in area.

- The sign may be displayed for a period of sixty (60) days. This sixty-day period may begin no earlier than sixty days prior to the opening date of the business nor later than thirty (30) days after the Building Inspector issues the Certificate of Occupancy.
- Only one such sign is allowed per premise; however this one sign may be used in addition to other permitted signs.

11.10.4 SIGNS FOR SPECIAL SALES AND PROMOTIONS

Temporary signs that advertise special sales and promotions by merchants and other profit-making concerns may be erected in addition to other permitted signs provided:

- The size of such sign shall not exceed twenty-four (24) square feet.
- The sign may not be illuminated.
- The sign may be displayed for a period of ten (10) days only.
- Only one (1) sign per premise is allowed.
- A business establishment may receive registration for temporary signs for four (4) or less separate events during one calendar year period. An interval of thirty (30) days shall separate each event.

Section 7. Sec. 12.5.2.1 Repair & Renovation of nonconformities - Revise language to refer only to nonconforming structures and eliminate incorrect references to nonconforming uses. Nonconforming uses are addressed under Section 12.4.

12.5.2.1 Where a non-conforming building or other non-conforming structure is damaged or destroyed as a result of fire or other natural/uncontrollable factor, such building or structure may be reconstructed provided that any such reconstruction does not increase the degree of any nonconformance with respect to building setbacks, and only upon receipt of a Zoning Clearance Permit. Except, however, the non-conforming single-wide manufactured homes that are destroyed as a result of fire or other natural disaster event, such home may be replaced subject to meeting the standards of Section 12.4.5 of this Ordinance.

Section 8. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this the 7th day of January 2007.

Robert H. Brown, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell Lee, Clerk to the Board

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. E.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT: Amendment to Current Fee Schedule for Planning and Inspections

DEPARTMENT: Sanford-Lee County Community Development

CONTACT PERSON: Marshall Downey, Assistant Director of Community Development

REQUEST: Consider amending current fee schedule for Planning and Inspections due to new third party review of telecommunications towers.

SUMMARY: Fee schedule needs to be updated to reflect new \$4,000.00 fee as associated with third party consultant review of new applications for special use permits for a new telecommunication towers.

BUDGET IMPACT: N/A

ATTACHMENT(S): Staff memo

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Concurrent with this request, the Commissioners have a request for consideration of several amendments to the UDO as recommended unanimously by the Planning Board. Included among those amendments is an amendment to require that all applications for special use permits for a new telecommunication towers be required to be reviewed by an expert third party consultant.



MEMORANDUM

TO: Lee County Board of Commissioners
John Crumpton, County Manager

FROM: Marshall Downey, Assistant Director of Community Development *MD*

DATE: December 27, 2007

REF: Amendment to fee schedule and selection of consultant for third party review of new telecommunications towers.

The Commissioners will recall that staff conducted a public hearing back in October regarding several potential amendments to the UDO (Note that these seven amendments are actually included on this agenda for consideration of adoption). One of those proposed changes includes a new policy in which all new telecommunication towers would be required to be reviewed by a consultant expert as retained by Sanford/Lee County/Broadway. The purpose of this review is try to ensure that all new towers are appropriate with respect to height, location, etc and to assist the respective Board of Adjustment members as they must make a decision as whether or not to grant a Special Use Permit.

As part of that new policy, the City of Sanford recently approved a contract with Cityscape Consultants, who will provide the third party review of these new tower applications. In making this decision to go with Cityscape, staff solicited consultants via submission of a Request for Proposals (RFP). This past August staff submitted a RFP and received two responses (which is what staff expected based on research of other towns). Staff recommended the Cityscape proposal based on the needs as identified and the fact that their fee (\$4,000.00) per review was less than the other proposal.

In addition to approval of the aforementioned amendment to the UDO, the other necessary step to implement this new policy is to update the Fee Schedule to reflect this new fee. As a reminder, an applicant for a new tower will pay this \$4,000.00 fee. The fee will be received as revenue and then a new check cut for the same amount and forwarded to the consultant for each tower/special use permit application. The updated fee schedule is attached for your consideration.

Building Construction Fee Schedule

2007-2008

(Revised draft Dec. 2007)

CITY OF SANFORD / LEE COUNTY / TOWN OF BROADWAY
North Carolina
COMMUNITY DEVELOPMENT DEPARTMENT
Inspections Division
Construction Permit Fee Schedule

Table of Contents:

Building Permits - Residential.....	page 2
Building Permits - Commercial.....	page 3 & 4
Building Permits - Miscellaneous	page 5
Electrical Permits.....	page 6
Mechanical Permits.....	page 7
Plumbing Permits.....	page 8
Fire Prevention Permits.....	page 9
Miscellaneous Permits.....	page 9
Special Notes.....	page 10 - 14
Planning / Development.....	page 15

BUILDING PERMIT FEES RESIDENTIAL

031

RESIDENTIAL (New)	Includes all Single Family Dwellings, Duplexes, and Townhouses.
Building Permit Fee:	Square Footage up to 1500 sq.ft.: \$190 Basic Fee.
	Square Footage over 1500 sq.ft.: Multiply by \$0.15 + \$190.00 (Basic Fee)
	North Carolina Licensed General Contractors add \$10.00 Homeowner Recovery Fund. (G.S. § 87-15.6).

RESIDENTIAL (Modular Homes)	<p>Additional permits shall be obtained for porches, basements, garages and additional structural alterations to the modular home in accordance with the appropriate fee schedule. Please be aware that separate permits are required for electrical, mechanical and plumbing.</p> <p>In accordance with G.S. § 87-1 and F.S. § 143-139.1: any person, firm or corporation that undertakes to erect a modular building must have either a valid NC General Contractors License or provide a \$5,000 Surety Bond.</p>
Building Permit Fee:	1500 sq.ft. or Less - \$100.00
	1501 – 2000 sq. ft. - \$130.00
	2001 sq.ft. and Up - \$160.00

MANUFACTURED HOMES	Manufactured Home Setup Fee only. Refer to Electrical, Plumbing and Plumbing Fee Schedule for other permits.
Single-Wide	\$30.00 each
Double-Wide	\$45.00 each
Triple-Wide	\$60.00 each

OTHER RESIDENTIAL CONSTRUCTION	Includes all Residential Additions.
Building Permit Fee:	<p>Square Footage shall be used to calculate building permit fees. Estimated Cost of Construction is determined at \$65/sq.ft. for Heated Space, \$30/sq.ft. for Unheated Space and \$15/sq.ft. for Unheated Porches, Shelters or Decks. Building permit fee shall be calculated by: \$2.50 per \$1,000 of Estimated Cost of Construction (<i>from calculation above</i>). Minimum Building Permit Fee is \$40.00.</p>

OTHER RESIDENTIAL CONSTRUCTION	Includes all Residential Renovations, Repairs, and Other Residential Construction not listed elsewhere.
Building Permit Fee:	<p>Permit Fee is Calculated based on Applicants Estimated Cost of Construction. (Bid, quote, or estimate must be provided with permit application). Building permit fee shall be calculated by: \$2.50 per \$1,000 of Applicants Estimated Cost of Construction. Minimum Building Permit Fee is \$40.00.</p>

BUILDING PERMIT FEES COMMERCIAL

COMMERCIAL (New)	50,000 Square Feet and Less.	
Building Permit Fee:	Estimated Cost of Construction shall be determined by multiplying the total gross building square footage by the cost per square foot for Type of Occupancy listed below; Permit Fee = Estimated Cost of Construction (from above) divided by \$1,000, multiplied by \$2	
	Assembly	\$80
	Business	\$70
	Educational	\$80
	Factory/Industrial	\$80
	Hazardous	\$80
	Institutional	\$100
	Mercantile	\$80
	Residential	\$80
	Storage	\$40 Heated \$35 Unheated
	Utility and Miscellaneous	\$40 Heated \$35 Unheated
	Mixed Occupancy	Highest Cost per Sq.Ft. of Occupancy Types

COMMERCIAL (New)	50,000 Square Feet and More.	
Building Permit Fee:	Estimated Cost of Construction shall be determined by: 1. Multiplying the first 50,000 square feet of the total building gross square footage by the cost per square foot for Type of Occupancy listed below. 2. Multiplying the square footage in excess of 50,000 square feet by the cost per square foot for Type of Occupancy listed below and add to figure from above. Permit Fee = Estimated Cost of Construction (from 1 above), divided by \$1,000, multiplied by \$2 <i>Plus</i> Estimated Cost of Construction (from 2 above), divided by \$1,000, multiplied by \$1.	
	Assembly	\$80
	Business	\$70
	Educational	\$80
	Factory/Industrial	\$80
	Hazardous	\$80
	Institutional	\$100
	Mercantile	\$80
	Residential	\$80
	Storage	\$40 Heated \$35 Unheated
	Utility and Miscellaneous	\$40 Heated \$35 Unheated
	Mixed Occupancy	Highest Cost per Sq.Ft. of Occupancy Types

BUILDING PERMIT FEES COMMERCIAL (continued)

COMMERCIAL (New)	Modular Units.	
Building Permit Fee:	<p>Estimated Cost of Construction shall be determined by multiplying the total gross building square footage by the cost per square foot for Type of Occupancy listed below;</p> <p>Permit Fee = Estimated Cost of Construction (from above) divided by \$1,000, multiplied by \$2</p>	
	Assembly	\$80
	Business	\$70
	Educational	\$80
	Factory/Industrial	\$80
	Hazardous	\$80
	Institutional	\$100
	Mercantile	\$80
	Residential	\$80
	Storage	\$40 Heated \$35 Unheated
	Utility and Miscellaneous	\$40 Heated \$35 Unheated
	Mixed Occupancy	Highest Cost per Sq.Ft. of Occupancy Types

OTHER COMMERCIAL CONSTRUCTION	Includes all Commercial Renovations, Repairs, and Other Commercial Construction not listed elsewhere.	
Building Permit Fee:	<p>Permit Fee is Calculated based on Applicants Estimated Cost of Construction. (Bid, quote, or estimate must be provided with permit application).</p> <p>Building permit fee shall be calculated by: \$2.00 per \$1,000 of Applicants Estimated Cost of Construction.</p> <p>Minimum Building Permit Fee is \$40.00.</p>	

BUILDING PERMIT FEES MISCELLANEOUS

MISCELLANEOUS BUILDING PERMITS	
Items not shown elsewhere in Fee Schedule.	Minimum Fee. Items not shown. \$40.00
Change of Occupancy Permit	\$40.00 each
Daycare Permit	\$50.00 each
Demolition Permit	\$65.00 Permit Fee plus Post \$500 Bond (Cash, Certified Check or Money Order per permit).
Footing/Foundation Permit	\$40.00 each
Malt Beverage License Inspection	\$40.00 each
Moving Building Permit	\$65.00 Permit Fee plus Post \$500 Bond (Cash, Certified Check or Money Order per permit).
Swimming Pool (For Setbacks Only)	\$40.00 each
Tent Permit	\$40.00 each
Outdoor Advertising Sign (For Lee County Only)	\$65.00 each
Other Signs	\$40.00 each

ELECTRICAL PERMIT FEES

RESIDENTIAL

RESIDENTIAL (New):

Basic Fee \$100.00 (up to 200 Amps)

Basic Fee *plus* \$15.00 per each 100 Amps over 200 Amps**RESIDENTIAL (Renovations) (Maximum Fee \$100.00):**Basic Fee \$40.00 *plus* any of the following that apply:

\$4.00 per Special Outlet (Dryer/Electric Stove/Etc)

\$20.00 per subpanel

RESIDENTIAL (Room Additions) (Maximum Fee \$100.00):

Basic Fee \$40.00

plus Room Additions - \$30.00 per Room Addition.*plus* \$4.00 per Special Outlet (Dryer/Electric Stove/Etc).*plus* \$20.00 per subpanel.**MANUFACTURED HOME** Basic Fee \$35.00 each**MODULAR HOMES** \$50.00 each

COMMERCIAL

0-200 Amps \$85.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

201-400 Amps \$100.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

401-600 Amps \$110.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

601-800 Amps \$125.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

801-1000 Amps \$135.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

1001-2000 Amps \$200.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

2001 & Up AMPS \$260.00 plus \$4.00 per Special Outlet, plus \$30.00 per subpanel

Special Outlets - 30 Amp/240 Volt or GreaterMISCELLANEOUS
ELECTRICAL PERMITSItems not shown elsewhere in
Fee Schedule. Minimum Fee. Items not shown. \$40.00

Conditional Power Fee \$40.00

Fire Alarm \$40.00

Electrical for Mechanical
Change Outs \$20.00

Power Restoration \$40.00

Accessory Building \$40.00

Service Change (Up to 100
amps) \$40.00

Service Change (125-200 Amps) \$50.00

Signs \$40.00

Special Outlets \$40.00 Minimum Fee plus \$4.00 each (Special Outlets - 30 Amp/240 Volt or Greater)

Swimming Pool Grounding \$40.00

Temporary Power Pole \$40.00

MECHANICAL PERMIT FEES

RESIDENTIAL

Items not shown elsewhere in Fee Schedule.	Minimum Fee. Items not shown. \$40.00
Gas Heating Unit w/ A/C Unit (2 Separate Units/1 System)	\$50.00 per system
Gas Pack	\$45.00 each
Heatpump	\$50.00 each
Single Air Conditioning Unit	\$40.00 each
Single Heating Unit (Gas Furnace, Electric Heat, Etc.)	\$40.00 each
Gas Accessories. (Gas Logs, Fireplace, Dryer, Range, Grill, Space Heater, Lights, Woodburning Inserts, Etc.)	\$30.00 each
Gas Piping/Pressure Test	\$20.00 / 1 st Unit \$6.50 per additional unit
Air Handler or Outdoor Condenser - Change Outs (not heat pumps)	\$40.00 each unit
Ductwork Additions	\$40.00 Basic Fee

COMMERCIAL

Basic Fee	*\$40.00 plus any of the following that apply:
Boilers	*(Up to 15 tons) \$8.00 per ton (16 tons and up) Total above <i>plus</i> \$2.50 per ton thereafter
Chillers:	*(Up to 15 tons) \$8.00 per ton (16 tons and up) Total above <i>plus</i> \$2.50 per ton thereafter
Gas Pack:	*(Up to 15 tons) \$8.00 per ton (16 tons and up) Total above <i>plus</i> \$2.50 per ton thereafter
Heat Pump:	*(Up to 15 tons) \$8.00 per ton (16 tons and up) Total above <i>plus</i> \$2.50 per ton thereafter
Refrigeration:	*(Up to 15 tons) \$8.00 per ton (16 tons and up) Total above <i>plus</i> \$2.50 per ton thereafter
Gas Appliances	*\$2.50 per 10,000 BTU's
Gas Heating Unit	*\$2.50 per 10,000 BTU's
Gas Heating Unit w/ A/C Unit (2 Separate Units/1 System)	*\$2.50 per 10,000 BTU's
Gas Piping/Pressure Test	*\$20.00 / 1 st Unit \$6.50 Per Additional Unit
Air Handler or Outdoor Condenser - Change Outs (not heat pumps)	\$40.00 each unit
Ductwork Additions	\$40.00 Basic Fee
Canopy Hood (<i>does not require licensed contractor</i>)	*\$40.00 each

(For calculation purposes:

- Horsepower to BTU: 1 HP = 33.475 BTU
- 12,000BTU = 1 Ton)

PLUMBING PERMIT FEES

RESIDENTIAL (New)
Basic Fee \$40.00 plus \$20.00 for every Full Bath \$15.00 for every Half Bath
RESIDENTIAL (Modular Homes)
Basic Fee \$40.00 plus \$4.50 for water line \$4.50 for sewer line Unfinished Baths require a separate permit at the time of Fit Up.
RESIDENTIAL (Manufactured Homes)
Basic Fee \$30.00
OTHER RESIDENTIAL CONSTRUCTION
Basic Fee \$40.00 plus \$4.50 per fixture (<i>see plumbing permit application</i>).
COMMERCIAL (New)
Basic Fee \$40.00 plus \$4.50 per fixture (<i>see plumbing permit application</i>).
COMMERCIAL (Modular)
Basic Fee \$40.00 plus \$4.50 for water line \$4.50 for sewer line
MISCELLANEOUS PLUMBING PERMITS
Basic Fee \$40.00 plus \$4.50 per fixture (<i>see plumbing permit application</i>).

FIRE PREVENTION PERMIT FEES

Items not shown elsewhere in Fee Schedule.	Minimum Fee. Items not shown. Basic Fee \$40.00
Fire Sprinkler System/Standpipe.	\$40.00 <i>plus any of the following that apply:</i>
	\$0.25 per Sprinkler Head
	\$30.00 per Sprinkler Riser
	\$30.00 per Standpipe Riser
	\$30.00 Alterations to Sprinkler Heads (Twenty or less).
Storage Tanks.	Above/Underground Removal \$65.00 1 st Tank, \$30.00 Each Additional Tank
	Above/Underground Installation \$65.00 1 st Tank, \$30.00 Each Additional Tank
Private School Fire Inspection.	\$50.00

RECORD RESEARCH

Permit Activity Computer Printouts	\$100.00
Archives/History Research (Per Permit)	\$20.00 per hour.
Copies (per page)	\$0.35 per page

TECHNOLOGY FEE

Fee applied to all permits to assist in recovering cost of permitting software system	\$10.00
---	---------

1. FAILURE TO SECURE PERMIT

Failure to obtain the appropriate permit before construction begins shall result in a 100% penalty (double fees). Commencement of or proceeding with any work of which a permit is required by the State Building Code or any other state or local laws (shall include digging footings or moving manufactured homes on site). (G.S. § 153A-357, G.S. § 160A-417; G.S. § 153A-354, G.S. § 160A-414; G.S. § 153A-352, G.S. § 160A-412).

2. ISSUANCE OF PERMITS

Individual trades are responsible for purchasing their respective permits (no blanket permits are issued).

If a building permit is required for any job, the building permit must be issued prior to issuance of any trade permits.

All approvals from other regulatory agencies (local, state, and federal) must be documented (i.e. zoning approval, erosion control, historic district, environmental health, etc.) before building permits will be issued. (G.S. § 153A-357, G.S. § 153A-363, G.S. § 160A-417, G.S. § 160A-423).

It is the contractor's responsibility to meet all requirements of license limitations when making application for permits. (G.S. § 87-14, G.S. § 87-21(e), G.S. § 87-43.1, G.S. § 87-58, G.S. § 153A-134, G.S. § 153A-357, G.S. § 160A-194, G.S. § 160A-417).

The Permit Coordinator will notify the applicant at which time the permit is prepared for issuance and the cost of the permit.

BUILDING PERMITS

The North Carolina Building Code requires that a permit be issued for "The construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of any building or structure;" Accessory Buildings with any dimension greater than twelve (12) feet are required to meet the provisions of the North Carolina Residential Code for One- and Two-Family Dwellings.

"No permit ...shall be required for any construction, installation, repair, replacement, or alteration costing Five Thousand Dollars (\$5,000) or less in any single family residence or farm building unless the work involves: the addition, repair, or replacement of load bearing structures;"

- Building permits will be issued to a properly licensed North Carolina General Contractor.

OR

- To the owner of the property on which the building is to be built and occupied by said owner for at least twelve (12) months following completion (no rental property). Volume I-A, G.S. 87-1.

OR

- To an individual when a general contractor's license is not required. The cost of the undertaking cannot exceed thirty thousand dollars (\$30,000).
Permits will be issued personally to the license holder of record only. A bonafide employee of the licensee will be allowed to obtain permits upon submittal of the "Authorization for Permit Application by Employee of Licensed Contractor Form".

General Contractors Licensing Limitations: If the estimated cost of construction from the fee schedule exceeds a contractor's license limitations a copy of the original bid, quote or estimate will be required prior to permit issuance.

HOMEOWNER RECOVERY FUND:

Pursuant to 887-15.6 (b), whenever a general contractor applies for the issuance of a permit for the construction of any single-family residential dwelling unit or for the alteration of an existing single-family residential dwelling unit, a (\$10.00) fee shall be collected from the general contractor for each dwelling unit to be constructed or altered under the permit. The City of Sanford shall forward four dollars (\$9.00) of each fee collected to the Board of General Contractors, on a quarterly basis and the city may retain one dollar (\$1.00) of each fee collected. The Board shall deposit the fees received into the General Fund.

ELECTRICAL PERMITS

Electrical permits are required for "The installation, extension, alteration, or general repair of any electrical wiring, devices, appliances, or equipment."

Electrical permits are issued to a North Carolina properly licensed North Carolina Electrical Contractor

OR

Property owners requesting to perform electrical work upon their own property when such property is not intended at the time for rent, lease, or sale will be required to take and pass an electrical exam prepared by this office. (G.S. § 87-43.1 *Exceptions*).

Permits will be issued personally to the license holder of record only. A bonafide employee of the licensee will be allowed to purchase permits upon submittal of the Authorization for Permit Application by Employee of Licensed Contractor Form.

Temporary Service Poles

Temporary Service Poles Inspections are to be made in conjunction with the footing or foundation inspection (permit fee is waived with new building construction only). In order to erect a temporary pole prior to or after the footing or foundation inspection or for renovations or additions, an electrical permit for the temporary pole must be obtained (see fee schedule).

MECHANICAL PERMITS

Mechanical permits are required for "The installation, extension, alteration or general repair of any heating or cooling system;"

- Mechanical permits are issued to a properly licensed North Carolina Mechanical Contractor

OR

- To the owner of the building that occupies the building provided that the permit holder performs the work themselves (no rental property or commercial projects). Volume I-A, G.S. 87-21(a)(5)(ii).

NOTE: Mechanical change-outs and/or relocation of mechanical units require an electrical permit as described above.

Permits will be issued personally to the license holder of record only. A bona fide employee of the licensee will be allowed to purchase permits upon submittal of the Authorization for Permit Application by Employee of Licensed Contractor Form.

Grease Canopy Hoods do not require a licensed contractor.

MANUFACTURED HOME PERMITS

A licensed Dealer or Setup Contractor must obtain Manufactured Home Permits. The owner is allowed to obtain a manufactured home permit only if they are actually setting up the home themselves.

Any manufactured home moved to the site prior to issuance of the necessary permits required will be removed from the site until such time that the proper permits are approved and issued.

Manufactured home plumbing permits are required for setup contractors who will complete the plumbing connections underneath the home only. A North Carolina licensed plumbing contractor will be required to obtain a separate permit to make utility connections (water/sewer).

MODULAR PERMITS

A building permit is required for modular homes.

In accordance with G.S. 87-1 and G.S. 143-139.1, any person, firm or corporation that undertakes to erect a modular building must have either a valid North Carolina General Contractors License or provide a five thousand dollar (\$5,000) surety bond for each modular building to be erected.

The permit fee is for the modular setup (footing, foundation, and final). Additional building permits shall be obtained for porches, basements, garages, and additional structural alterations to the modular unit in accordance with the permit fee schedule. A separate permit is required for electrical, mechanical and plumbing permits.

NO TEMPORARY SERVICE WILL BE AUTHORIZED FOR ANY MODULAR CONSTRUCTION.

PLUMBING PERMITS

Plumbing permits are required for "The installation, extension, alteration or general repair of any plumbing system;"

- Plumbing permits are issued to a properly licensed North Carolina Plumbing Contractor

OR

- To the owner of the building that occupies the building provided that the permit holder performs the work themselves (no rental property or commercial projects). G.S. 87-21(a)(5)(ii).

Permits will be issued personally to the license holder of record only. A bona fide employee of the licensee will be allowed to purchase permits upon submittal of the "Authorization for Permit Application by Employee of Licensed Contractor Form".

Manufactured home plumbing permits are required for setup contractors who will complete the plumbing connections underneath the home only. A North Carolina licensed plumbing contractor will be required to obtain a separate permit to make utility connections (water/sewer).

RENTAL PROPERTY

Electrical, Mechanical and Plumbing Permits will not be issued to the owners of rental property.

- **Rental Property - Building Permits**

Building Permits will be issued to the owner or an unlicensed General Contractor where the cost of the undertaking is less than \$30,000. Projects valued at \$30,000 or more require that the permit be issued to a North Carolina Licensed General Contractor only. (G.S. § 87-1).

- **Rental Property - Electrical Permits**

Electrical Permits will be issued to North Carolina Licensed Electrical Contractors only. (G.S. § 87-43.1 (5a)).

- **Rental Property - Mechanical Permits**

Mechanical Permits will be issued to North Carolina Licensed Mechanical Contractors only. (G.S. § 87-21 (a)(5)(ii)).

- **Rental Property - Plumbing Permits**

Plumbing Permits will be issued to North Carolina Licensed Plumbing Contractors only. (G.S. § 87-21 (a)(5)(ii)).

RENEWING EXPIRED PERMITS:

If any permit expires or is revoked, or if any other permit issued by the inspection department becomes invalid because of no activity, the applicant must apply for a new permit to be issued and pay the appropriate fees.

In order for the requirement that additional fees be paid for re-issuance of an expired permit be waived, the owner/contractor must show proof of work being performed on the job (i.e., valid receipts for labor, materials etc., during the period in which no inspections were performed.) (G.S. § 153A-354, G.S. § 160A-414).

PERMIT REFUNDS

Permit fees are non-refundable, unless no work has been performed and no inspections have been made. (G.S. § 153A-354, G.S. § 160A-414).

POSTING BONDS

Bonds are required to be posted for moving permits and demolition permits for the City of Sanford. Bonds may be posted in the form of cash, certified check or money order, at the time that a Demolition or Moving Permit is issued. Bonds are non-transferable.

3. POSTING OF PERMIT CARDS:

Permit cards must be posted and building plans must be available at all times at the jobsite, or the inspection will not be performed and a \$50 re-inspection fee will be charged.

4. INSPECTIONS

The General Contractor or the person that the Building Permit was issued to must make all inspection requests. (Footings, Foundations, Rough-Ins, Insulation, and Final for C.O.). Electrical, Plumbing & Mechanical Contractors will be responsible to notify the General Contractor when ready for Rough-In, Final, and other inspections.

****NOTE:** When a construction project requires all four disciplines, i.e., Building, Electrical, Plumbing and Mechanical installations, each discipline will be inspected simultaneously, during one inspection trip. Inspection requests should not be made unless each discipline is ready for a rough-in inspection.

A minimum of one (1) day notice is required for all inspections.

All inspections must be called in by the correct address and permit number.

Building Permit Cards must be posted and building plans must be available at the jobsite or the inspection will not be performed and a **\$50.00 PENALTY FEE WILL BE CHARGED.**

Inspection results will be provided at all jobsites. Passed inspections will be indicated with the appropriate section of the permit card posted on the jobsite. Failed inspections will be identified with the posting of a orange "NOTICE" card accompanied by a "NOTICE OF ADDITION OR CORRECTIONS" sheet. The Inspector will provide these two documents on the jobsite with the permit card. (G.S.§ 153A-352 and G.S.§ 160A-512).

Calls to the inspection department concerning the status of inspections are discouraged. Check permit card at jobsite for inspection results.

Priorities for daily inspections will be as follows:

1. Concrete pours. (i.e. footing and slabs).
2. Open ditches that are a potential danger to the public. (i.e. water & sewer lines and underground electrical)
3. Foundations.
4. Restoration of Electrical Service to existing buildings.
5. Mechanical Change-Outs / Repairs during extreme weather conditions.

RE-INSPECTION FEES

The Inspections Department will perform one follow-up inspection to ensure that corrections have been made. Additional inspections shall be termed "re-inspections". A fee of \$50.00 shall be paid prior to any re-inspection trip. Temporary service poles not inspected in conjunction with footing or foundation inspections will be considered a re-inspection. There will be a \$50.00 re-inspection fee charge if a scheduled inspection is not ready when the inspector arrives on the jobsite.

Any inspection that requires that the owner provide access (i.e. Building, Electrical, Mechanical and Plumbing) the re-inspection fees will be as follows:

- 1st Inspection Trip – No Charge. Door Hanger will be left instructing owner to schedule an inspection.
- 2nd Inspection Trip, and subsequent trip will result in a \$50 Re-Inspection Fees per Re-Inspection Trip until Inspection is approved. Contractor will be responsible for paying Re-Inspection Fees prior to any Re-Inspections.

FEE SCHEDULE, CURRENT PLANNING

Planning Board

Petition for Zoning Text Amendment	\$150
Petition for Zoning Map Amendment	\$200
Petition for Conditional Zoning Map Amendment	\$300

Board of Adjustment

Variance Application	\$200
Special Use Permit Application	\$200
Special Use Permit Application for new telecommunications tower	\$4,200
Appeals	\$200

Ordinances

Unified Development Ordinance	\$40
-------------------------------	------

Site Plan Review

Non-Residential - \$50.00 for the first 10,000 square feet of gross floor area (GFA), plus \$2.00 for every additional 1,000 square feet of GFA.
Multi-family - \$50.00 for the first thirty (30) dwelling units, plus \$2.00 for each additional dwelling unit.

Subdivision Plat Review

Preliminary Plat (major subdivision)	\$100.00, plus \$2.00 per lot
Final Plat (major subdivision)	No Charge
Minor Subdivision Plat	\$50.00

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. F.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT: FY '05 Community Development Program Grant Project Ordinance

DEPARTMENT: Community Development

CONTACT PERSON: Bob Bridwell, Community Development Director
Lisa G. Minter, Finance Director

REQUEST: Approval of the Grant Project Ordinance for FY '05 CDBG Scattered Site Housing Project

SUMMARY: The attached ordinance needs to be approved for the FY '05 CDBG project so funds can be committed and work may begin on the approved homes as soon as possible.

BUDGET IMPACT: No County funds are involved in this project.

ATTACHMENT(S): Lee County FY '05 Community Development Program Scattered Site Housing Project Grant Project Ordinance

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve Grant Project Ordinance as presented.

**LEE COUNTY FY 05 COMMUNITY DEVELOPMENT PROGRAM
SCATTERED SITE HOUSING PROJECT**

GRANT PROJECT ORDINANCE

Be it ordained by the Board of Commissioners of Lee County that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement 05-C-1366 between Lee County and the North Carolina Department of Commerce. This project is more familiarly known as the 2005 Lee County Scattered Site Housing Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the North Carolina Department of Commerce and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Community Development Block Grant	\$ 400,000
Total	\$ 400,000

Section 4. The following amounts are appropriated for the project:

C-1 Rehabilitation of Privately Owned Dwellings	\$ 360,000
C-1 Administration	\$ 40,000
Total	\$400,000

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement and Federal and State regulations.

Section 6. Funds will be requisitioned from the State after submission of documentation to the County. Disbursement of funds will be made by the County upon actual receipt of CDBG funds from the State. Compliance with all federal and state procurement regulations is required.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 7th day of January 2008

LEE COUNTY

Robert H. Brown, Chairman
County Commissioners

ATTEST:

Gaynell M. Lee
Clerk to the Board

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. III. G.

☐ Information
☐ Action Item
☒ Consent Agenda

SUBJECT:

Resolution of Appreciation to the O. T. Sloan Family

DEPARTMENT:

Governing Body

CONTACT PERSON:

K. R. Hoyle, County Attorney

REQUEST:

Approve Resolution of Appreciation

SUMMARY:

At a special called meeting on November 15, 2007, the Board approved an offer of stock from an anonymous donor for the purchase of property in Lee County. At the December 3, 2007 regular meeting, the Board approved a Declaration for 9.45 acres of land located adjacent to O. T. Sloan Park donated by the O. Temple Sloan family,

A Resolution of Appreciation has been prepared for the Sloan family.

BUDGET IMPACT:

N/A

ATTACHMENT(S):

Resolution

PUBLIC HEARING:

No

PRIOR BOARD ACTION:

N/A

RECOMMENDATION:

Approve resolution as presented.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

RESOLUTION

WHEREAS, the O. T. Sloan Family has a long and distinguished record of supporting public recreation programs in Lee County; and

WHEREAS, Mr. O. T. Sloan, Sr. served for many years on the Recreation Commission of the City of Sanford, which was then the only such agency in the County; and

WHEREAS, Mr. Sloan, Sr. was an advocate for a countywide recreation program, which came about when the City of Sanford phased out its program and conveyed its facilities to the County; and

WHEREAS, interested citizens got a non-profit corporation chartered in 1968, which later changed its name to Lee County Recreation Foundation, Inc. and in the same year arranged through bank financing to purchase the Snipes Property known as Snipes Lumber Company location; and

WHEREAS, in 1973 the Lee County Recreation Foundation, Inc. was able to retire its debt on the Snipes Property, due in part to a significant contribution by Mr. Sloan, Sr., and therefore conveyed to Lee County 43.3 acres, more or less, of the Snipes Property; and

WHEREAS, in recognition of Mr. O. T. Sloan, Sr.'s leadership in promoting public recreational facilities and his financial support of such programs, the Lee County Recreation Foundation, Inc. made its conveyance to Lee County subject to restrictions requiring the area conveyed be known as O. T. Sloan Park and that it be used exclusively for park and recreational purposes; and

WHEREAS, in 2007 Carol Sloan and husband, O. T. (Temple) Sloan, Jr., through the Carol and Temple Sloan Foundation, made a gift to Lee County which enabled the County to acquire 9.45 acres of land adjacent to the present O. T. Sloan Park as an addition thereto; and

WHEREAS, the Board of Commissioners is of the opinion that generosity in support of public endeavors is an example of good citizenship and should be encouraged; and

WHEREAS, the actions of the Sloan Family will materially benefit the people of Lee County for years to come and as the elected representatives of the people of Lee County it is appropriate for the Board of Commissioners to acknowledge appreciation for their gifts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lee County as follows:

Section 1: That it is proud to own the 43.3 acre tract of land on Bragg Street in the City of Sanford and deem it fitting and proper that it is named the O. T. Sloan Park.

Section 2: That it officially and publicly acknowledges its appreciation for the generosity of Mr. and Mrs. O. T. (Temple) Sloan, Jr., acting through their foundation, who made it possible for Lee County to acquire a 9.45 acre tract of land on Bragg Street, Sanford, as an addition to the O. T. Sloan Park on November 27, 2007.

Section 3: That the Clerk to the Board furnishes a certified copy of this resolution to the Carol and Temple Sloan Foundation and to Carol and O. T. (Temple) Sloan, Jr., individually.

Adopted this 7th day of January 2008.

Robert H. Brown, Chairman

James C. Kelly, Commissioner

Jerry M. Lemmond, Commissioner

Nathan E. Paschal, Commissioner

Robert T. Reives, Commissioner

Linda A. Shook, Commissioner

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. V. A.

☐ Information
☒ Action Item
☐ Consent Agenda

SUBJECT: Acceptance of Resignation from Former Commissioner Kirk Smith

DEPARTMENT: Governing Body

CONTACT PERSON: Chairman Bob Brown

REQUEST: Accept letter of resignation from Kirk Smith

SUMMARY: On December 9, 2007, former Commissioner Kirk Smith forwarded a letter of resignation to Chairman Brown stating he had resigned his District 2 seat on the Lee County Board of Commissioners effective December 1, 2007. A signed copy of the letter of resignation was officially received in the Clerk's Office on December 10, 2007.

BUDGET IMPACT: N/A

ATTACHMENT(S): (1) December 9, 2007 resignation letter from Kirk D. Smith; and
 (2) NC Gen Stat 153A-27

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Accept letter of resignation as presented.

9 December 2007

Chairman Bob Brown
Lee County Board of Commissioners
400 Charlotte Ave
Sanford, NC 27330

Dear Chairman Brown:

I regrettably submit my resignation as Commissioner for the Second District of Lee County, North Carolina effective December 1, 2007. It is apparent that the duties of County Commissioner as well the upcoming election cycle, would conflict directly with my responsibilities to my current employer.

I found my brief tenure in the position of Commissioner to be enlightening and I must apologize to those who worked so hard in support of my appointment.

Thank you and God Bless.


Kirk D. Smith

Cc: Gaynell Lee - Clerk

DEC 10 2007



GENERAL STATUTES OF NORTH CAROLINA
Copyright 2007 by Matthew Bender & Company, Inc.
a member of the LexisNexis Group.
All rights reserved

*** THIS DOCUMENT IS CURRENT THROUGH THE 2007 REGULAR SESSION AND 1ST EXTRA
SESSION ***

*** ANNOTATIONS CURRENT THROUGH SEPTEMBER 21, 2007 ***

CHAPTER 153A. COUNTIES
ARTICLE 4. FORM OF GOVERNMENT
PART 1. GENERAL PROVISIONS

Go to the North Carolina Code Archive Directory

N.C. Gen. Stat. § 153A-27 (2007)

§ 153A-27. Vacancies on the board of commissioners

If a vacancy occurs on the board of commissioners, the remaining members of the board shall appoint a qualified person to fill the vacancy. If the number of vacancies on the board is such that a quorum of the board cannot be obtained, the chairman of the board shall appoint enough members to make up a quorum, and the board shall then proceed to fill the remaining vacancies. If the number of vacancies on the board is such that a quorum of the board cannot be obtained and the office of chairman is vacant, the clerk of superior court of the county shall fill the vacancies upon the request of any remaining member of the board or upon the petition of any five registered voters of the county. If for any other reason the remaining members of the board do not fill a vacancy within 60 days after the day the vacancy occurs, the clerk shall immediately report the vacancy to the clerk of superior court of the county. The clerk of superior court shall, within 10 days after the day the vacancy is reported to him, fill the vacancy.

If the member being replaced was serving a two-year term, or if the member was serving a four-year term and the vacancy occurs later than 60 days before the general election held after the first two years of the term, the appointment to fill the vacancy is for the remainder of the unexpired term. Otherwise, the term of the person appointed to fill the vacancy extends to the first Monday in December next following the first general election held more than 60 days after the day the vacancy occurs; at that general election, a person shall be elected to the seat vacated, either to the remainder of the unexpired term or, if the term has expired, to a full term.

To be eligible for appointment to fill a vacancy, a person must (i) be a member of the same political party as the member being replaced, if that member was elected as the nominee of a political party, and (ii) be a resident of the same district as the member being replaced, if the county is divided into electoral districts. The board of commissioners or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling a vacancy, but neither the board nor the clerk of the superior court is bound by the committee's recommendation.

HISTORY: Code, s. 719; 1895, c. 135, s. 7; Rev., s. 1314; 1909, c. 490, s. 1; C.S., s. 1294; 1959, c. 1325; 1965, cc. 239, 382; 1967, cc. 7, 424, 439, 1022; 1969, cc. 82, 222; 1971, c. 743, s. 1; 1973, c. 822, s. 1; 1985, c. 563, ss. 7.3, 7.4.

NOTES:

CROSS REFERENCES. --As to counties not subject to this section, see G.S. 153A-27.1.

CASE NOTES

AUTHORITY TO ACCEPT RESIGNATION. --Under former statute which authorized the clerk of the superior court to fill vacancies on boards of commissioners in all cases, it was held that a tender of resignation by a county commissioner to the clerk of the superior court was a tender to the proper authority. While the mere filing of the resignation did not vacate the office, its acceptance by the clerk was final, and after its acceptance the commissioner had no power to withdraw it. *Rockingham County v. Luten Bridge Co.*, 35 F.2d 301 (4th Cir. 1929).

Service: **Get by LEXSTAT®**

Citation: **NC Code 153A-27**

View: Full

Date/Time: Monday, December 10, 2007 - 10:37 AM EST



LexisNexis®

[About LexisNexis](#) | [Terms & Conditions](#) | [Contact Us](#)

[Copyright ©](#) 2007 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. V. B.

☐ Information
☒ Action Item
☐ Consent Agenda

SUBJECT:

Election of a New County Commissioner from District 2

DEPARTMENT:

Governing Body

CONTACT PERSON:

K. R. Hoyle, County Attorney

REQUEST:

Election of a New County Commissioner

SUMMARY:

On December 10, 2007, Kirk Smith resigned his position as Lee County Commissioner from District 2. According to Gen. Stat. 153A-27 Commissioners shall appoint a qualified person to fill the vacancy within 60 days of the resignation.

Mr. John Quiggle and Mr. Harry Undy have furnished applications to fill the vacant position.

BUDGET IMPACT:

N/A

ATTACHMENT(S):

- (1) Application, letter and resume from Mr. John Quiggle
- (2) Application and resume from Mr. Harry Undy
- (3) Gen. Stat. 153A-27

PUBLIC HEARING:

No

PRIOR BOARD ACTION:

N/A

RECOMMENDATION:

December 20, 2007

Honorable Robert H. Brown, Chairman
Honorable Nathan E. Paschal
Honorable Robert T. Reives
Honorable James C. Kelly
Honorable Jerry M. Lemmond
Honorable Linda A. Shook

Attention: Mr. K.R. Hoyle, County Attorney

Dear Board Members:

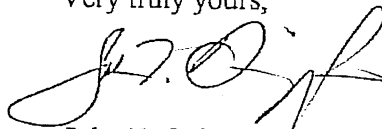
I am submitting my name for your consideration in connection with the vacancy on the Lee County Board of County Commissioners. I am a registered Republican residing in District 2 at 1012 Zion Church Road in Deep River Township. The timing of my application is dictated by the fact that the Republican Party is not now organized and I wanted you to know of my interest as soon as possible. As you know, I am currently serving as a member of the Lee County Board of Education and if selected will immediately resign from that board.

Because of the importance of the office for which I wish to be considered, I am prepared to devote the necessary time and effort to quickly familiarize myself with the duties and responsibilities of a county commissioner. I feel that I am qualified in every respect and I will appreciate your favorable consideration. I have no agenda except to be an effective member of your board.

Please do not hesitate to contact me if you have questions or wish to discuss my application.

With best regards, I am

Very truly yours,



John T. Quiggle

DEC 21 2007



COUNTY OF LEE BOARDS/COMMISSION APPLICATION

The Lee County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the county's advisory boards, listed below. If you have an interest in being considered for appointment to one of the boards, indicate by placing a check mark by your interest(s), complete the form below, and mail to the address listed at the bottom of the application. For additional information about our committees or to complete an on-line application, please visit our web site at www.lee-county-nc.gov.

BOARDS AND COMMISSIONS

<input checked="" type="checkbox"/> Board of Commissioners <input type="checkbox"/> Sanford-Lee County Airport Authority <input type="checkbox"/> Americans with Disabilities Act (ADA) <input type="checkbox"/> Board of Adjustments (Lee County) <input type="checkbox"/> Board of Adjustments (Sanford) <input type="checkbox"/> Board of Equalization & Review <input type="checkbox"/> Abandoned Cemetery Board of Trustees <input type="checkbox"/> CCCC Board of Trustees <input type="checkbox"/> Lee County Economic Development Corporation <input type="checkbox"/> Lee County Fire Advisory Board <input type="checkbox"/> Lee County Environmental Affairs Board <input type="checkbox"/> Lee County Board of Health <input type="checkbox"/> Industrial Facilities & Pollution Control Financing	<input type="checkbox"/> Jury Commission <input type="checkbox"/> Library Board of Trustees <input type="checkbox"/> Mid-Carolina Workforce Development Bd. <input type="checkbox"/> Parks & Recreation Commission <input type="checkbox"/> Planning Board (Lee County) <input type="checkbox"/> Planning Board (Sanford) <input type="checkbox"/> Rest Home-Nursing Home Adv. Board <input type="checkbox"/> Senior Services Advisory Board <input type="checkbox"/> Social Services Board <input type="checkbox"/> Transportation Advisory Board <input type="checkbox"/> Juvenile Crime Prevention Council <input type="checkbox"/> Criminal Justice Partnership Advisory Bd.
--	---

NAME: John T. Quiggle

ADDRESS: 1012 Zion Church Road Sanford, NC 27330

HOME PHONE: 919-718-6638 WORK PHONE: 919-718-1134

PLACE OF EMPLOYMENT: Edward Jones

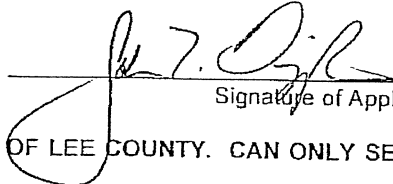
EMAIL: quiggle@windstream.net FAX NO. 800-341-7018

List any experience/qualifications you have relevant to the above board/commission you are interested in.

Current member of the Lee County Board of Education. Former member of
Board of Education Policy Committee and current member of the Board of
Education Finance Committee.

I CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

DATE: 12/20/2007


Signature of Applicant

NOTE: MUST BE A RESIDENT OF LEE COUNTY. CAN ONLY SERVE ON ONE (1) BOARD AT A TIME.

Return completed application to: Ms. Gaynell Lee, Clerk to the Board of Commissioners, PO Box 1968, 106 Hillcrest Drive, Sanford, North Carolina, 27331-1968, or fax to 774-8407 or e-mail to glee@lee-county-nc.gov.

John T. Quiggle
1012 Zion Church Road Sanford, NC 27330
Home (919) 718-6638 Cell (919) 770-4362
E-Mail: quiggle@windstream.net

Career Objective

To secure a position in the business world where my advancement and success are based on my abilities, my achievement, and the direct success of the company.

Work Experience

Lee County Board of Education, Sanford, North Carolina
Board Member, July 2004 – Present

Edward Jones Investments, Sanford, North Carolina
Financial Advisor, May 2006 – Present

I help people achieve their financial goals with their serious money by reducing their risk and tax exposure through proper financial planning and goal setting.

John Deere Turf Care, Fuquay-Varina, North Carolina
Designer, Aug. 1998 – May 2006

Create Pro-Engineer models, drawings and assemblies from Industrial Designer, and Mechanical Engineer's sketches and concepts. Perform print conversions from past CAD systems to Pro-Engineer for projects as needed. Implement cost savings ideas into the design of the projects. Instruct basic Pro-Engineer overview classes for John Deere personnel.

North Carolina State University, Raleigh, North Carolina
Visiting Assistant Professor, Jan. 2002 – Dec. 2002

Classes Taught: Advanced Concepts in Product Design

Central Carolina Community College, Sanford, North Carolina
Part Time Instructor, Aug. 1997 – Dec. 2001

Classes Taught: Technical Drafting I
Introduction to CAD

Pro Engineer Basic Design

Parker Hannifin (Zenith Pumps Division), Sanford, North Carolina
CAD Designer / System Administrator, Aug. 1997 - Aug. 1998

Create Pro-Engineer models, drawings, and assemblies from sales order requests. Perform all duties of the ECN process for the polymer division including origination, print revisions, and implementation. Perform System Administrator duties that include hardware and software troubleshooting and installation, tape back-ups, and file recovery.

Moen Inc., Sanford, North Carolina
Designer, Oct. 1996 - Aug. 1997

Create Pro-Engineer models, drawings, and assemblies from engineer project requests. Complete engineering tolerance stack-ups as required for projects. Assist Quality and Engineering associates in obtaining prints for manufacturing purposes.

Moen Inc., Sanford, North Carolina**Tool Crib Attendant, Jan. 1995 - Oct. 1996**

Read blueprints for tooling used inside the plant for purposes of resharpening. Receive and stock inventory daily and key inventory into computer system. Assist employees in obtaining supplies and tools.

Special Training

Series 7 Federal Securities License

Series 63 State Securities License

Life and Health Insurance License (North Carolina, and Florida)

Long Term Care License (North Carolina)

John Deere Modeling Masters Program, October 2002 – October 2003

Education

Central Carolina Community College

Diploma in Computer-Aided Drafting and Manufacturing, August 1996

North Carolina State University

BS Degree in Parks, Recreation, and Tourism Management, July 1993

Activities

Member – Lee County Board of Education Finance Committee July 2007 – Present

Chairman – Lee County Board of Education Policy Committee July 2004 – June 2007

Member - Mechanical Engineering Technology Advisory Committee

Central Carolina Community College, 1998 – 2004

National Youth Sports Program Advisory Committee, May 2005 – June 2006

COUNTY OF LEE BOARDS/COMMISSION APPLICATION

The Lee County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the county's advisory boards, listed below. If you have an interest in being considered for appointment to one of the boards, indicate by **placing a check mark by your interest(s)**, complete the form below, and mail to the address listed at the bottom of the application. For additional information about our committees or to complete an on-line application, please visit our web site at www.leecountync.gov.

BOARDS AND COMMISSIONS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Board of Commissioners
<input type="checkbox"/> Sanford-Lee County Airport Authority
<input type="checkbox"/> Americans with Disabilities Act (ADA)
<input type="checkbox"/> Board of Adjustments (Lee County)
<input type="checkbox"/> Board of Adjustments (Sanford)
<input type="checkbox"/> Board of Equalization & Review
<input type="checkbox"/> Abandoned Cemetery Board of Trustees
<input type="checkbox"/> CCCC Board of Trustees
<input type="checkbox"/> Lee County Economic Development Corporation
<input type="checkbox"/> Lee County Fire Advisory Board
<input type="checkbox"/> Lee County Environmental Affairs Board
<input type="checkbox"/> Lee County Board of Health
<input type="checkbox"/> Industrial Facilities & Pollution Control Financing | <input type="checkbox"/> Jury Commission
<input type="checkbox"/> Library Board of Trustees
<input type="checkbox"/> Mid-Carolina Workforce Development Bd.
<input type="checkbox"/> Parks & Recreation Commission
<input type="checkbox"/> Planning Board (Lee County)
<input type="checkbox"/> Planning Board (Sanford)
<input type="checkbox"/> Rest Home-Nursing Home Adv. Board
<input type="checkbox"/> Senior Services Advisory Board
<input type="checkbox"/> Social Services Board
<input type="checkbox"/> Transportation Advisory Board
<input type="checkbox"/> Juvenile Crime Prevention Council
<input type="checkbox"/> Criminal Justice Partnership Advisory Bd. |
|--|---|

NAME: HARRY L. Undy Jr

ADDRESS: 558 Angell Dr. Sanford NC 27332

HOME PHONE: 919 491 3320 WORK PHONE: _____

PLACE OF EMPLOYMENT: Retired

EMAIL: h Undy @ Talkoff.com FAX NO. _____

List any experience/qualifications you have relevant to the above board/commission you are interested in.

President 3 Terms of Carolina Trace CC. President Fire Dept. Titusville
V.P. CTA in Carolina Trace, former board member Salvation Army
Extensive high level business experience, Combat wounded Marine

I CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

DATE: 12/15/07 Harry L. Undy Jr
 Signature of Applicant

NOTE: MUST BE A RESIDENT OF LEE COUNTY. CAN ONLY SERVE ON ONE (1) BOARD AT A TIME.

Return completed application to: Ms. Gaynell Lee, Clerk to the Board of Commissioners, PO Box 1968, 106 Hillcrest Drive, Sanford, North Carolina, 27331-1968, or fax to 774-8407 or e-mail to glee@leecountync.gov.

DEC 27 2007

Search Mail

Search the Web

Show search results
Customize

Compose Mail

Raleigh, NC Job - www.fidelitycareers.com - Competitive compensation & benefits Join Fidelity Investments now.

[Back to Inbox](#)

Archive

Report Spam

Delete

More Actions

Inbox (13)

Dad's resume

Inbox ▾

show details 7:35 AM (6 hours ago)

Reply

Starred

Jazz Undy to me

Harry Lee Undy

Chats

558 Argyle Drive, Carolina Trace, Sanford, NC 27332

(919) 488-3320 home; (443) 865-1372 cell hundy@tulkoft.com

Sent Mail

Experience: Tulkoft Foods Inc., Baltimore, Md

Drafts

April 2003 - Executive Vice President

All Mail

- o Manage Sales and Marketing force of 14.
- o Actively managed and organized a virtual office and network.
- o Created and successfully sold other enterprise wide solutions at senior levels.
- o Increased sales 80% over three years.
- o Enhanced relationship and created winning relationships and new markets with various buying groups such as Unipro, Prosky Acres, and Pochantas Food Group.

Spam (253)

Trash

March 1998 -
March 2003

House of Rafor Inc., Rafor, NC
Independent Contractor and Sales Consultant

Contacts

- o Built consensus with a variety of sales and marketing groups to form a winning strategy.
- o Partnered with other companies to align strategies that brought increased value to clients.
- o Experienced managing long sales cycles in a team environment.

Chat

September 1997
February 1997

Dean Foods Inc., Dixon, IL
National Sales Manager

Search, add, or invite

- o Exceeded sales goals each year.
- o Served on several institutional boards.
- o Promoted from regional sales manager to national sales manager.

Jeanna Undy

Set status here ▾

Bob Johnson

Jazz Undy

bbaldwin

blowe

Bill Baldwin

David Oidech

sjennings

Fowler, Sarah (NI...

Golfgetysburg@...

jane@Tulkoft.com

Options ▾ Add Contact

Education: Salisbury State University: 1974 BA/Business Administration
Additional Training and Skills:

US Marine, Negotiating Training Karas Institute, Management Training, Sales Training.

Volunteer Positions:

Carolina Trace Country Club President, CTA (Carolina Trace Association) Vice President, Carolina Trace Fire Department President, Salvation Army Board of Directors.

Labels

Edit labels

Jazz Undy
5 East Greensboro St
Suite 1-A
Wrightsville Beach, NC 28480
919-804-2465

Invite a friend

Give Gmail to:

☐ Harry Lee Undy.docx
17K Download

Send Invite 50 left

preview invite

Reply

Forward

[Back to Inbox](#)

Archive

Report Spam

Delete

More Actions

N.C. Gen. Stat. § 153A-27

GENERAL STATUTES OF NORTH CAROLINA
Copyright 2006 by Matthew Bender & Company, Inc.
a member of the LexisNexis Group.
All rights reserved

*** THIS DOCUMENT IS CURRENT THROUGH ALL 2006 LEGISLATION ***
*** ANNOTATIONS CURRENT THROUGH DECEMBER 29, 2006 ***

CHAPTER 153A. COUNTIES
ARTICLE 4. FORM OF GOVERNMENT
PART 1. GENERAL PROVISIONS

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

N.C. Gen. Stat. § 153A-27 (2006)

§ 153A-27. Vacancies on the board of commissioners

If a vacancy occurs on the board of commissioners, the remaining members of the board shall appoint a qualified person to fill the vacancy. If the number of vacancies on the board is such that a quorum of the board cannot be obtained, the chairman of the board shall appoint enough members to make up a quorum, and the board shall then proceed to fill the remaining vacancies. If the number of vacancies on the board is such that a quorum of the board cannot be obtained and the office of chairman is vacant, the clerk of superior court of the county shall fill the vacancies upon the request of any remaining member of the board or upon the petition of any five registered voters of the county. If for any other reason the remaining members of the board do not fill a vacancy within 60 days after the day the vacancy occurs, the clerk shall immediately report the vacancy to the clerk of superior court of the county. The clerk of superior court shall, within 10 days after the day the vacancy is reported to him, fill the vacancy.

If the member being replaced was serving a two-year term, or if the member was serving a four-year term and the vacancy occurs later than 60 days before the general election held after the first two years of the term, the appointment to fill the vacancy is for the remainder of the unexpired term. Otherwise, the term of the person appointed to fill the vacancy extends to the first Monday in December next following the first general election held more than 60 days after the day the vacancy occurs; at that general election, a person shall be elected to the seat vacated, either to the remainder of the unexpired term or, if the term has expired, to a full term.

To be eligible for appointment to fill a vacancy, a person must (i) be a member of the same political party as the member being replaced, if that member was elected as the nominee of a political party, and (ii) be a resident of the same district as the member being replaced, if the county is divided into electoral districts. The board of commissioners or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling a vacancy, but neither the board nor the clerk of the superior court is bound by the committee's recommendation.

HISTORY: Code, s. 719; 1895, c. 135, s. 7; Rev., s. 1314; 1909, c. 490, s. 1; C.S., s. 1294; 1959, c. 1325; 1965, cc. 239, 382; 1967, cc. 7, 424, 439, 1022; 1969, cc. 82, 222; 1971, c. 743, s. 1; 1973, c. 822, s. 1; 1985, c. 563, ss. 7.3, 7.4.

060.

NOTES:

CROSS REFERENCES. --As to counties not subject to this section, see G.S. 153A-27.1.

CASE NOTES

AUTHORITY TO ACCEPT RESIGNATION. --Under former statute which authorized the clerk of the superior court to fill vacancies on boards of commissioners in all cases, it was held that a tender of resignation by a county commissioner to the clerk of the superior court was a tender to the proper authority. While the mere filing of the resignation did not vacate the office, its acceptance by the clerk was final, and after its acceptance the commissioner had no power to withdraw it. *Rockingham County v. Luten Bridge Co.*, 35 F.2d 301 (4th Cir. 1929).

Service: **Get by LEXSTAT®**

Citation: **NC Code 153A-27**

View: Full

Date/Time: Monday, April 30, 2007 - 4:34 PM EDT



LexisNexis®

[About LexisNexis](#) | [Terms & Conditions](#)

[Copyright ©](#) 2007 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. V. C.

☐ Information
☒ Action Item
☐ Consent Agenda

SUBJECT: Firefighter's Relief Funds for Northwest Pocket Fire District and Tramway Fire District

DEPARTMENT: Finance

CONTACT PERSON: Lisa G. Minter, Finance Director

REQUEST: Authorize the Chairman Brown to send a letter to Tim Bradley, Senior Deputy Commissioner, Office of State Fire Marshall regarding the funds due to Northwest Pocket Fire District and Tramway Fire District.

SUMMARY: Each August, the Finance Department receives a package from the Office of State Fire Marshall that contains Report of Fire Condition forms for each rural fire district in Lee County to participate in the Fireman's Relief Fund. The forms are to be completed by the fire districts then certified by the County Finance Director or Clerk to the Board and notarized. The reports are due back by October 31. In August 2006, former Lee County Fire Marshall Derrick Clouston contacted me concerning the forms and offered to get the information to the departments and gather the information as he felt that it was necessary for the Board of Commissioners to approve the Firemen's Relief Fund Trustees appointments. Mr. Clouston had the appointments on the Board's agenda for October 16, 2006. After that, the forms were certified and notarized, and Mr. Clouston mailed the package to Raleigh. Current Fire Marshall Shane Seagroves has verified that they have copies of eight fire districts' Report of Condition for 2006. Checks from the Relief Fund are received in the Finance Department each August for the prior year's relief fund. The checks are then mailed to the respective departments. When the checks came in August 2007, there was no check for Northwest Pocket or Tramway. Mr. Seagroves was asked to check into the missing checks. He was informed that the Office of State Fire Marshall had not received the Report of Fire Conditions for these two districts; therefore, they had not received any funds from the fund. The Office of State Fire Marshall recommends that the forms be sent certified mail; however, we cannot confirm that Mr. Clouston sent the forms by certified mail. Mr. Seagroves sent a letter on September 10, 2007 explaining that a certified mail receipt could not be found but that all eight forms had been together as a package and he had copies of all eight forms in his office and that a certified mail receipt would not verify how many forms had been sent. Mr. Seagroves received a response dated October 17, 2007, from Mr. Tim Bradley, Senior Deputy Commissioner, Office of State Fire Marshall, that stated that without the original certified mail receipt for the submission of the 2006 Report of Fire Condition his office could not request the release of funds. The letter also stated that since the error or failure to submit may have occurred at the finance office, the fire departments may request to the Lee County Commissioners for the clerk/finance office to reimburse the 2006 Firefighter's Relief Funds. A copy of the letter was also sent to Northwest Pocket Fire District. It does not appear that Mr. Bradley responded in reference to Tramway Fire District even though Mr. Seagroves referenced both. A letter dated November 2, 2007, from Ken Cameron, President of

Northwest Pocket Fire District, requesting the funds that would have totaled \$653.39 be paid to the Fire District from the General Fund has been received. To date, I have not received any communication from Tramway. The check they received in August 2006 was for \$2,060.27.

BUDGET IMPACT: Potentially \$2,713.66

ATTACHMENT(S): (1) September 10, 2007 letter from Fire Marshall Shane Seagroves to Lauren Thompson; (2) October 17, 2007 letter from Mr. Tim Bradley, Senior Deputy Commissioner, Office of State Fire Marshall, to Fire Marshall Shane Seagroves; and (3) November 2, 2007 letter from Ken Cameron, President, Northwest Pocket Fire Department, to Lisa Minter, Finance Director

PUBLIC HEARING: N/A

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Authorize Chairman Brown to send a letter to the Office of State Fire Marshall asking for cooperation in this matter and stating that it is understood that a mistake was made by not sending the package by certified mail but that it is not felt a receipt proves whether the forms were received by their office or not. Copies of the letter should also be sent to our local delegation in Raleigh.

LEE COUNTY

Committed Today for a Better Tomorrow

September 10, 2007

In regards to: Northwest Pocket and Tramway Fire Department

CERTIFIED MAIL

Lauren Thompson
1202 Mail Service Center
Raleigh, NC 27699-1202
Attention: Lauren Thompson

To Whom It May Concern:
Subject: 2006 Report of Fire Conditions

On October 17, 2006, Lee County Finance director Lisa Minter signed and had eight documents notarized by Gaynell Lee for the Lee County Report of Fire Conditions. These forms were part of a packet that had previously been before the county commissioners and then on to the finance department. These documents stayed together as a package and therefore I feel that all documents were sent to your office as the same package deal. Having spoken with former Fire Marshal Derrick Clouston, it was confirmed that all documents were kept together as a package. However, we cannot find a receipt for certified mail showing that they were mailed to your location. If we did have the receipt, it still would not prove that the all eight forms were in the packet mailed to you. I feel that the money should be paid to the departments in question and I look forward to you assisting in finding a compromise to this issue. If you have any questions please call my office.

Thank you,

T. Shane Seagroves
Fire Marshal
Lee County Fire Marshal's Office
Enclosures (8)

Jim Long
Commissioner of Insurance
State Fire Marshal



PREVENTION • PROGRAMS • GRANTS

October 17, 2007

Mr. Shane Seagroves
Lee County Fire Marshal
225 E. Weatherspoon Street
Sanford, North Carolina 27331

Reference: Northwest Pocket VFD, 2006 Report of Fire Condition

Dear Mr. Seagroves,

I am in receipt of your letter on behalf of the Northwest Pocket Volunteer Fire Department's disqualification of their 2006 Firefighter's Relief Fund.

North Carolina General Statute 58-84-46 requires the clerk or finance officer of each city or county to file the Report of Fire Condition with the Commissioner on or before October 31 of each year. If the certificate is not filed by January 31 in the ensuing year: 1) The city or county that failed to file the certificate shall forfeit the payment next due to be paid to its board of trustees. 2) The Commissioner shall pay over that amount to the treasurer of the North Carolina State Firemen's Association. 3) That amount shall constitute a part of the Firemen's Relief Fund.

Because statute 58-84-46 is clear in regards to the filing dates, this office recommends that the Report of Fire Condition be submitted via certified mail. The certified mail receipt will serve as official documentation to our office in a situation such as this that will allow us to request the NC State Firemen's Association to release the funds. We also send courtesy reminders to each city or county clerk/finance officer for which a fire district Report of Fire Condition has not been received by our office. Without the original certified mail receipt for the submission of the 2006 Report of Fire Condition, this office cannot request the release of funds. Since the error or failure to submit may have occurred at the finance office, the Northwest Pocket Volunteer Fire Department may request to the Lee County Commissioners for the clerk/finance office to reimburse the 2006 Firefighter's Relief Fund in the amount of \$653.39.

I hope I have addressed your concerns, as these requirements are bound by NC General Statutes.

Sincerely,

A handwritten signature in black ink that reads "Tim Bradley".

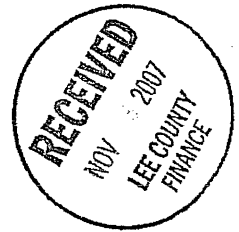
Tim Bradley
Senior Deputy Commissioner

c: Northwest Pocket VFD



Northwest Pocket Volunteer Fire Department Inc.
60 Pickard Road
Sanford, NC 27330

November 2, 2007



Lisa Minter, Finance Director
Lee County NC

Fire Chief David Nance has discussed with our entire Board of Directors in reference our being disqualified from receiving our 2006 Firefighter's Relief Fund. Chief Nance advised that after we received the letter from OSFM advising that we were disqualified that he called at spoke to Lauren Thompson about it. He explained to her that the department did not send in this information that it was signed and send back into the county by way of then Lee County Fire Marshal Derrick Clouston. By doing so it was believed that all was handled properly by the county as we had a photo copy of the original. Chief Nance spoke with Derrick by phone and was advised that ALL were sent into the state again Lauren advised that with no proof of being mailed certified mail that they would not change the ruling. Since Lee County Fire Marshal Shane Seagroves sent a letter to OSFM addressed to Lauren Thompson expressing the paper work for the entire county was mailed as a packet to OSFM and there for it would be believed that all were received by OSFM in hopes to clear this matter up and get both Northwest Pockets and Tramways Relief Fund monies ruled to us.

We since received a letter from OSFM dated October 17, 2007 from Tim Bradley Senior Deputy Commissioner advising that OSFM were standing their grounds per the statute 58-84-46 and there for will not request NC State Firemen's Association to release those funds. He did address that since the believed failure was on the part of the finance office for Lee County that we had rights to request that Lee County Commissioners for the Clerk/Finance Office or Director to reimburse the 2006 Firefighter's Relief Fund again in the amount of \$653.39. To some this amount may be minimal but to a department that does not receive as much as some other it is a lot that may be banked until a member is in need of assistance and these funds can be used for.

I am requesting that Northwest Pocket Volunteer Fire Department be reimbursed this amount from Lee County General Funds or that from funds from the Finance Department and NOT funds collected from the citizens living and paying fire taxes to this fire district.

Thank you for your assistance in this matter and look forward to hearing from you soon.
We do not feel that your office was at blame to this matter however we do lay blame to the past County Manager David Smitherman and past Fire Marshal Derrick Clouston.

Respectfully,

Ken Cameron, President
N.W.P.V.F.D.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. V. D.

☐ Information
☒ Action Item
☐ Consent Agenda

SUBJECT:

Convenience Center Decal Program

DEPARTMENT:

General Services - Waste Collections Division

CONTACT PERSON:

Joseph T. Cherry, Solid Waste Superintendent

REQUEST:

Approve proposal to implement a Convenience Center Decal System effective March 1, 2008.

SUMMARY:

Decals will be issued annually to all Lee County residents who have paid the solid waste fee. Vehicles without a decal will be turned away from the convenience center. This will eliminate unauthorized use of the facilities.

BUDGET IMPACT:

Printing \$3,200.00
 Postage and Mail Service \$6,400.00
 \$10,000.00 has been budgeted for this program.

ATTACHMENT(S):

- (1) Draft Policy
- (2) Draft Decal Mailing
- (3) Minutes from May 5, 2006 Finance Committee Budget Work Session

PUBLIC HEARING:

No

PRIOR BOARD ACTION:

Program was recommended to Commissioners with FY 2006-07 Budget and approved at May 5, 2006 Finance Committee Budget Work Session.

RECOMMENDATION:

LEE COUNTY DEPARTMENT OF GENERAL SERVICES
SOLID WASTE DIVISION
CONVENIENCE CENTER DECAL POLICY

Section I. Purpose

To implement a system of enforcement designed to limit convenience center usage to authorized users.

Section II. Definitions

Authorized Users – Any club, church, residential based commercial enterprise, and each County residence located within the unincorporated areas of Lee County that have paid the solid waste fees.

Board of Commissioners – The Board of Commissioners of Lee County, North Carolina.

Year – The twelve month period beginning March 1 and ending February 28.

Convenience Center – Designated areas within Lee County that have been authorized by the Department of General Services and approved by the Board of Commissioners to accept solid waste and recyclables generated within the unincorporated areas of Lee County.

Decal – A label issued by Lee County and identifying the holder as an authorized convenience center user.

Lee County – Lee County, North Carolina

Recyclables – a material that has known recycling potential, can be feasibly recycled, and has been diverted or removed from the solid waste stream for sale, use, or reuse.

Solid Waste – For purposes of this policy solid waste means any non-hazardous garbage or refuse generated by any club, church, residential based commercial enterprise, and County residence located within the unincorporated areas of Lee County.

Solid Waste Fees - Disposal charge set by the Board of Commissioners and payable annually by each club, church, residential based commercial enterprise, and each residence located within the unincorporated areas of Lee County.

Unincorporated Areas – Areas located within the geographic boundaries of Lee County, but outside of the corporate limits of the City of Sanford and of the Town of Broadway.

Section III. Guidelines

- A. Two (2) decals per year will be issued to all residents of Lee County's unincorporated areas who have paid the solid waste fees.
- B. No person(s) without a decal will be allowed to utilize any convenience center within Lee County for any reason.
- C. Decals will be valid for one year.
- D. Decals will be issued to residents of "new builds" at a prorated rate.
- E. Decals will be issued to property owner(s) who will be responsible for distribution to tenants.
- F. Residents of the City of Sanford or the Town of Broadway may purchase decals by paying the solid waste fees set by the Board of Commissioners.
- G. No decals will be sold to commercial or industrial establishments.
- G. No decals will be sold to residents outside of Lee County.
- H. No decals will be issued to residents who have not paid the fees.
- I. Authorized users who dispose of a vehicle or replace a windshield should remove decal and bring at least 50% to the General Services office for a free replacement.
- J. Additional or replacement (without old decal) decals will be provided for an administrative fee set by the Board of Commissioners.

NOTICE**DO NOT DISCARD****DECALS FOR CONVENIENCE CENTER USE ENCLOSED**

Lee County General Services
Solid Waste Division
805 S. Fifth Street
Sanford, NC 27330

2008

DECALS MUST BE DISPLAYED IN ORDER TO USE CONVENIENCE CENTERS!



- Decals will be issued annually to all Lee County residents who pay the solid waste fee as listed on your tax bill.
- Starting March 1, 2008 all convenience center users must have the above decal displayed on their vehicle in order to deposit their residential waste and recyclables.
- Landlords are responsible for distributing decals to tenants.
- Vehicles without a decal will be turned away.
- Please remove decal before disposing of vehicle. There is a \$10 administrative fee for additional or replacement decals.

CONVENIENCE CENTER INFORMATION

Monday thru Friday 7:00 AM to 6:00 PM

Saturday 8:00 AM to 5:00 PM

Sunday 1:00 PM to 5:00 PM

All centers are closed Easter Sunday, Thanksgiving Day and Christmas Day

CARBONTON ROAD (Closed Thursdays)
330 Country Estates Drive

WILSON ROAD
211 East Wilson Road

COLON ROAD
3927 Colon Road

WOODLAND TRAILS (Closed Wednesdays)
216 Woodland Trails Road

ROCKY FORK CHURCH ROAD
420 Rocky Fork Church Road

LANDFILL ROAD (Mon - Fri 8:00 AM - 4:00 PM)
331 Landfill Road (Sat. 8:00 AM - 12:00 NOON)

- All residential household trash and recyclables are accepted.
- All household garbage must be bagged.
- Large items including furniture and appliances are accepted.
- Please recycle. **Recycling saves Lee County \$39.57 per ton in tipping fees.**
- Building materials including wood, carpet and plumbing fixtures are not accepted at the convenience centers. For information on disposal options call 718-4622.
- Up to 5 tires can be taken to the landfill road site for disposal at no charge.
- Household Hazardous Waste including paint and other chemicals are not accepted at the convenience centers. Please save these items for the HHW Collection Day on October 18, 2008.

FOR MORE INFORMATION PLEASE CONTACT LEE COUNTY SOLID WASTE AT (919) 718-4622
www.leecountync.gov

Committed Today for a Better Tomorrow

MINUTES OF THE FINANCE COMMITTEE BUDGET WORK SESSION
OF THE
BOARD OF COMMISSIONERS
FOR THE
COUNTY OF LEE, STATE OF NORTH CAROLINA

May 5, 2006

The Finance Committee, representing the Lee County Board of Commissioners, met in the Small Conference Room (#124), First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date at 9:00 a.m. Present for the meeting were Commissioners W. Chad Adams, Robert H. Brown, and Robert T. Reives. Also attending were County Manager David M. Smitherman, Finance Director Lisa Minter, Budget & Finance Analyst Trish Coleman, and Clerk to the Board Gaynell Lee.

Chairman Reives called the meeting to order.

The following items were discussed as related to the proposed FY 2006-07 budget:

- Family Center Caseworker Program (DSS Director Brenda Potts to furnish a detailed report concerning the program)
- Children's Dental Program (send letter to Health Director advising that the program will be evaluated in six-months in reference to continuing or discontinuing the program)
- Requested a report on the County's Replacement Vehicle Policy
- Requested a report on cost recovery in Environmental Health
- Requested COLA summary explaining all benefits employees' receive
- Requested report on 78% increase in Medicaid and Food Stamp services
- Ask Kenny Cole and John Payne to attend the May 8, 2006, budget work session to discuss preparation of ball fields and need for additional staff
- Requested status report of the Pre-Trial Program in six-months

The Committee discussed Workers' Compensation Insurance and the fact that it will be increasing drastically this year. After some discussion, Commissioner Adams moved that the County look at self-funding for Worker's Comp insurance instead of contracting with an outside agency. Upon a vote, the results were as follows:

Aye: Adams, Brown, and Reives
Nay: None

Chairman Reives moved the motion had been adopted unanimously.

It was noted that the Airport Authority had not submitted a budget for the upcoming year. The Committee asked that the Airport Authority be contacted and asked to submit their budget by Monday, May 8, 2006.

* The Committee discussed using a "sticker system" for Lee County individuals using the County Convenience Centers. Commissioner Brown moved for the County to put into practice the "sticker system" for solid waste disposal as soon as can be implemented. Upon a vote, the results were as follows:

Aye: Adams, Brown, and Reives

Nay: None

Chairman Reives moved the motion had been adopted unanimously.

The Committee discussed the County Manager's recommendation to purchase new vehicles for the IT Department, General Services, Sheriff's Department, Fire Marshal, and Social Service. Commissioner Reives stated that he recommended only purchasing new vehicles for the Sheriff's Department. After some discussion, it was agreed to leave the purchase of three new vehicles in the budget for Social Services due to reimbursement received from the State for these purchases. Commissioner Reives asked to have maintenance records furnished for all vehicles that are being considered for replacement, along with the Replacement Vehicle Policy. Assistant County Manager Kenny Cole was asked to attend the May 8th budget work session to discuss the Replacement Vehicle Policy.

The Committee asked for further details and a report on the \$18,500 repeater for a 2-way radio system requested in the budget.

The Committee asked that a letter be drafted to the City of Sanford for a budget for E911 Communications.

Environmental Health salaries were discussed. The Committee asked that a statewide study of Environmental Health salaries be furnished for the May 8th budget work session.

The Committee discussed funding for non-profit organizations. After some discussion, Commissioner Reives moved to appropriate \$10,000 for HAVEN of Lee County. Upon a vote, the results were as follows:

Aye: Adams, Brown, and Reives

Nay: None

Chairman Reives moved the motion had been adopted unanimously.

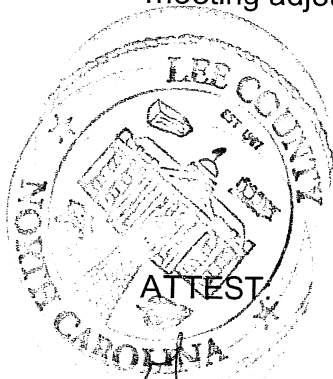
Maintenance of County vehicles was discussed. County Manager David Smitherman stated that the Sheriff's Department was not complying with the recommended manufacturer's specifications for having automobiles serviced. The Finance Committee asked that the County Manager forward a letter to Sheriff Bryant stating that vehicles will meet the required vehicle maintenance specifications.

With no further business to come before the Finance Committee, Chairman Reives moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, and Reives

Nay: None

Chairman Reives moved the motion had been adopted unanimously and the meeting adjourned.



Gaynell M. Lee
Gaynell M. Lee, Clerk

Robert T. Reives, Chairman
Lee County Finance Committee

NORTH CAROLINA, LEE COUNTY
Presented for registration on the 19th day
of May 20, 06 at 3:25 AM/PM
recorded in Book 20 Page 947
Mollie A. McInnis, Register of Deeds

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

074

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. V. E.

☐ Information
☒ Action Item
☐ Consent Agenda

SUBJECT: GPS Monitors

DEPARTMENT: Pretrial Release Program

CONTACT PERSON: Brenda Potts

REQUEST: Approval to apply for a grant through N.C. Department of Crime Control and Public Safety to purchase and utilize three (3) GPS electronic monitoring units. Grant application deadline is Jan. 31, 2008.

SUMMARY: Due to overcrowding and limited jail space, a higher number of defendants are being released to the Lee County Pretrial Release Program while awaiting their trial date. There have been no reported incidents of violence by a pretrial defendant supervised under the program guidelines; however, there is always the possibility of such happening. This keeps Lee County striving to be proactive in the protection of the community. While the current pretrial program provides supervision similar to conditions of probation, a clear advantage of initiating GPS electronic technology is the ability to ascertain the location of defendants, especially those with higher risk charges including domestic violence, assaultive and sexual offenses toward children.

These units would be targeted for the higher risk defendants, described above, who are released into the community. These active GPS units would track a defendant's movements and would alert officials almost immediately if a defendant entered or was near an 'exclusion' zone (forbidden location) such as a domestic victim's home, a school, day care center, etc. The actual monitoring would be handled by a contracted agency which would relay any alerts or violations directly to Lee County program staff. Program staff would then respond appropriately (24/7) to protect the community.

BUDGET IMPACT: Each unit would cost just under \$3,000 each, therefore three units would run around \$9,000. The match requirement for the three units would be 25% (around \$2,250). This match amount would be budgeted in the Pretrial Release FY 2008-2009 budget.

ATTACHMENT(S): Pretrial Release Program Update

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: Approve request as presented.

**Pretrial Release Cases
Monthly Cost Avoidance Summary Report
March 2006 – June 2007**

March 2006	57 days/ \$3,485.55
April 2006	169 days/ \$10,334.35
May 2006	311 days/ \$19,017.65
June 2006	392 days/ \$23,970.80
July 2006	531 days/ \$32,470.65
August 2006	654 days/ \$39,992.10
September 2006	637 days/ \$38,952.55
October 2006	732 days/ \$44,761.80
November 2006	756 days/ \$46,229.40
December 2006	820 days/ \$50,143.00
January 2007	876 days/ \$53,567.40
February 2007	705 days/ \$43,110.75
March 2007	815 days/ \$49,837.25
April 2007	650 days/ \$39,747.50
May 2007	754 days/ \$46,107.10
June 2007	782 days/ \$47,819.30

Daily Bed Rate - \$ 61.15

*Pretrial Release Total to date: 9641 (days saved)
\$ 589,547.15 (cost avoidance)

**Guilty Plea Total to date: \$ 225,398.90 (cost avoidance)

Total Cost Avoidance: \$ 814, 946.05

*Pretrial release is the cases where the inmate has been released from jail on day reporting or electronic house arrest while awaiting trial.

**The guilty plea cases are those that are in jail, want to plead guilty, do not intend to request an attorney and their trial date is months from now. The pretrial worker meets with the inmate and the victims and gets the agreement to proceed to trial, allowing the defendant to be tried right away.

**Pretrial Release Cases
Monthly Cost Avoidance Summary
Fiscal year July 2007- November 2008**

July 2007	949 days/ \$58,013.35
August 2007	903 days/ \$55,218.45
September 2007	802 days/ \$49,042.30
October 2007	989 days/ \$60,477.35
November 2007	1006 days/ \$61,516.90

Daily Bed Rate- \$ 61.15

*Pretrial Release Total to Date:	4649 (days saved)
	\$ 284,268.35 (cost avoidance)

**Guilty Plea Total to Date	\$ 84,020.10 (cost avoidance)
-----------------------------	-------------------------------

Total Cost Avoidance	\$ 368,288.45
----------------------	---------------

*Pretrial release is the cases where the inmate has been released from jail on day reporting or electronic house arrest while awaiting trial.

**The guilty plea cases are those that are in jail, want to plead guilty, do not intend to request an attorney and their trial date is months from now. The pretrial worker meets with the inmate and the victims and gets the agreement to proceed to trial, allowing the defendant to be tried right away.

LEE COUNTY

NORTH CAROLINA

Committed Today for a Better Tomorrow

LEE COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

Meeting Date: January 7, 2008

ITEM NO. VI. A.

☒ Information
☐ Action Item
☐ Consent Agenda

SUBJECT: November 2007 Financial Report

DEPARTMENT: Finance

CONTACT PERSON: Lisa G. Minter, Finance Director

REQUEST: N/A – Information Only

SUMMARY: Attached is the monthly financial report for November 2007. Property tax revenues are increasing as expected this time of year. Also, please remember that sales tax revenues run three months behind. In reviewing expenditures, the percentage used target is 41.67%. A few departments are exceeding the target as of the end of October. Governing Body shows 56.93% used due to dues and BRAC funding. Several other departments are exceeding 41.67% due to capital purchases. Economic Development is at 79.65% because of incentives being paid out. Departments showing 50% used are quarterly appropriations. Also, the sales tax distribution is attached showing collections received in December. The total received is comparable to the amount received last year for the same period.

BUDGET IMPACT: N/A

ATTACHMENT(S): (1) Monthly Financial Report for the Month Ended November 30, 2007; (2) Sales Tax Distribution for FY 2007-2008, and (3) Historical Analysis of Sales Tax Received

PUBLIC HEARING: No

PRIOR BOARD ACTION: N/A

RECOMMENDATION: N/A – Information Only

Lee County
Monthly Financial Report
For the month ended
November 30, 2007

	07-08 Budget	YTD Thru 11/30/07	November 2007	Available Budget	% Used
General Fund					
Revenues					
Ad Valorem Taxes	34,095,010	14,873,418.55	6,711,949.21	19,221,591.45	43.62%
Local Option Sales Taxes	8,746,900	1,576,341.48	861,232.95	7,170,558.52	18.02%
Other Taxes and Licenses	448,500	151,061.60	25,481.56	297,438.40	33.68%
Unrestricted Intergovernmental	54,000	-	-	54,000.00	0.00%
Restricted Intergovernmental	8,740,110	2,745,391.44	651,463.10	5,994,718.56	31.41%
Permits and Fees	372,000	139,870.50	23,642.50	232,129.50	37.60%
Sales and Services	2,741,383	741,218.55	143,254.99	2,000,164.45	27.04%
Investment Earnings	450,000	127,625.46	22,623.00	322,374.54	28.36%
Miscellaneous	371,341	123,290.39	22,903.77	248,050.61	33.20%
Total Revenues	56,019,244	20,478,217.97	8,462,551.08	35,541,026.03	36.56%
Expenditures					
General Government					
Governing Body	199,001	113,282.63	7,608.78	85,718.37	56.93%
Administration	607,453	211,343.27	51,999.05	396,109.73	34.79%
Human Resources	675,198	238,643.43	59,143.36	436,554.57	35.34%
Finance	577,313	189,106.51	32,571.56	388,206.49	32.76%
Internal Services	65,500	25,791.16	3,686.11	39,708.84	39.38%
Tax Administration	1,100,572	345,749.17	77,634.81	754,822.83	31.42%
Tax Revaluation	49,124	4,277.60	(2,476.74)	44,846.40	8.71%
Strategic Services	370,352	163,598.97	32,087.46	206,753.03	44.17%
Court Facilities	8,952	412.91	-	8,539.09	4.61%
Elections	260,906	84,693.29	30,425.60	176,212.71	32.46%
Register of Deeds	377,964	150,840.66	35,705.74	227,123.34	39.91%
IT	902,412	386,462.08	48,505.74	515,949.92	42.83%
General Services	2,864,883	1,069,192.91	219,030.13	1,795,690.09	37.32%
Total	8,059,630	2,983,394.59	595,921.60	5,076,235.41	37.02%
Public Safety					
Sheriff	3,857,255	1,816,936.26	324,010.75	2,040,318.74	47.10%
Jail	1,792,506	783,943.70	139,006.04	1,008,562.30	43.73%
911 Communications	141,745	59,060.40	11,812.08	82,684.60	41.67%
State Fire Control Contribution	83,594	30,991.02	6,660.53	52,602.98	37.07%
Medical Examiner	32,000	6,500.00	200.00	25,500.00	20.31%
Juvenile Detention	40,000	22,271.00	1,145.00	17,729.00	55.68%
Juvenile Probation Rent	13,905	-	-	13,905.00	0.00%
Emergency Medical Services	525,000	218,750.00	43,750.00	306,250.00	41.67%
Emergency Services	256,015	74,545.71	15,884.52	181,469.29	29.12%
Fire Marshall	236,319	97,385.34	22,121.75	138,933.66	41.21%
Total	6,978,339	3,110,383.43	564,590.67	3,867,955.57	44.57%
Economic/Physical Development					
Planning	324,140	162,070.00	-	162,070.00	50.00%
Economic Development	1,006,069	801,379.34	19,778.78	204,689.66	79.65%
Cooperative Extension	202,895	44,849.99	9,190.82	158,045.01	22.11%
Conservation	112,466	45,282.26	12,913.72	67,183.74	40.26%
Total	1,645,570	1,053,581.59	41,883.32	591,988.41	64.03%

Lee County
Monthly Financial Report
For the month ended
November 30, 2007

	07-08 Budget	YTD Thru 11/30/07	November 2007	Available Budget	% Used
Health and Welfare					
Health Department	3,487,919	1,312,154.25	289,892.10	2,175,764.75	37.62%
Mental Health	250,000	104,166.65	20,833.33	145,833.35	41.67%
Lee County Industries	5,000	2,500.00	-	2,500.00	50.00%
Social Services-Admin	5,449,650	2,255,533.79	562,270.31	3,194,116.21	41.39%
Social Services-Programs	6,863,279	2,255,398.78	496,803.65	4,607,880.22	32.86%
Johnston-Lee Community Action	14,000	7,000.00		7,000.00	50.00%
HAVEN	5,000	2,500.00		2,500.00	50.00%
Senior Services - Transportation	926,736	268,626.72	62,298.87	658,109.28	28.99%
Senior Services - General	886,165	352,221.60	70,418.42	533,943.40	39.75%
Youth Services	129,958	52,362.85	10,674.57	77,595.15	40.29%
Thanks	55,873	20,539.14	4,377.15	35,333.86	36.76%
Hillcrest	300,639	105,125.14	24,236.22	195,513.86	34.97%
Pretrial Release	68,600	26,307.04	6,562.02	42,292.96	38.35%
Family Centered Casework	51,847	21,101.29	4,555.97	30,745.71	40.70%
Emergency and Contingency	441,631	-	-	441,631.00	0.00%
Total	18,936,297	6,785,537.25	1,552,922.61	12,150,759.75	35.83%
Education					
School Current Expense	13,502,134	5,625,889.15	1,125,177.83	7,876,244.85	41.67%
School Capital Outlay	2,242,887	295,915.00	59,183.00	1,946,972.00	13.19%
CCCC Current Expense & Civic Ctr.	2,008,397	836,832.10	167,366.42	1,171,564.90	41.67%
CCCC Capital Outlay	106,739	44,474.60	8,894.92	62,264.40	41.67%
Total	17,860,157	6,803,110.85	1,360,622.17	11,057,046.15	38.09%
Cultural and Recreational					
Libraries	774,887	327,785.87	81,895.03	447,101.13	42.30%
Parks and Recreation	1,436,788	503,058.31	104,603.56	933,729.69	35.01%
Temple Theater	9,000	4,500.00		4,500.00	50.00%
Arts Council	2,500	1,250.00		1,250.00	50.00%
Total	2,223,175	836,594.18	186,498.59	1,386,580.82	37.63%
Debt Service	7,177,200	2,077,900.49	74,522.50	5,099,299.51	28.95%
Total Expenditures	62,880,368	23,650,502.38	4,376,961.46	39,229,865.62	37.61%
Revenues Over (Under) Expenditures	(6,861,124)	(3,172,284.41)	4,085,589.62	(3,688,839.59)	46.24%
Other Financing Sources (Uses):					
Transfers From Other Funds	4,727,298	682,306.38	181,092.38	4,044,991.62	14.43%
Transfers to Other Funds	(626,000)	-	-	(626,000.00)	0.00%
Total Other Financing Sources (Uses)	4,101,298	682,306.38	181,092.38	3,418,991.62	16.64%
Revenues and Other Financing Sources Over (Under) Expenditures and Other Financing (Uses)	(2,759,826)	(2,489,978.03)	4,266,682.00	(269,847.97)	90.22%
Appropriated Fund Balance	2,759,826	-	-	2,759,826.00	0.00%
Revenues, Other Financing Sources and Appropriated Fund Balance Over (Under) Expenditures and Other Financing Uses	-	(2,489,978.03)	4,266,682.00	2,489,978.03	N/A

Lee County
Sales Tax Distribution
2007-2008

Date	For the Month of	Total Distribution	Article 39		Article 40		Article 42		Article 44
			Total	Co. (70%)	Sch (30%)	Total	Co. (40%)	Sch (60%)	
	Jun-07	111,272.79	56,259.20	11,102.57	4,758.24	15,688.74	6,275.50	9,413.24	23,464.04
	Jul-07	766,776.11	295,546.84	116,369.91	49,872.82	164,826.76	65,930.70	98,896.06	140,159.78
	Aug-07	1,042,325.33	452,751.83	141,706.10	60,731.19	200,601.98	80,240.79	120,361.19	186,534.23
	Sep-07	718,957.08	299,812.07	102,759.29	44,039.70	145,154.31	58,061.72	87,092.59	127,191.71
1st qtr totals		2,639,331.31	1,104,369.94	371,937.87	159,401.95	526,271.79	210,508.72	315,763.07	477,349.76
	Oct-07			-	-		-	-	
	Nov-07			-	-		-	-	
	Dec-07			-	-		-	-	
2nd qtr totals									
	Jan-08			-	-		-	-	
	Feb-08			-	-		-	-	
	Mar-08			-	-		-	-	
3rd qtr totals									
	Apr-08			-	-		-	-	
	May-08			-	-		-	-	
	Jun-08			-	-		-	-	
4th qtr totals									
Grand total		2,639,331.31	1,104,369.94	371,937.87	159,401.95	526,271.79	210,508.72	315,763.07	477,349.76
Budget			4,395,000.00	1,554,300.00	666,200.00		880,600.00	1,321,000.00	1,917,000.00
% of budget received			25.13%	23.93%	23.93%		23.91%	23.90%	24.90%
Projection									
% of projection received									
Amount need to meet projection									

HISTORICAL ANALYSIS OF SALES TAX RECEIVED
Based on actual monthly distributions

ARTICLE 39

Population	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	Total	Period % change	% of Budget Received
FY 07-08	55,282	295,546.84	452,751.83	299,812.07	371,105.95	329,513.72	341,485.21	380,870.52	358,501.40	395,190.04	378,765.59	417,289.11	1,048,110.74	-21.87%	23.85%
FY 08-07	53,789	378,750.75	327,492.97	306,810.12	360,217.01	252,761.55	416,256.09	326,900.75	331,524.29	384,039.95	275,314.36	395,974.10	4,352,673.97	5.84%	94.70%
FY 09-06	50,146	388,785.63	315,874.95	315,874.95	360,217.01	252,761.55	326,900.75	341,502.10	390,594.89	309,692.70	398,533.53	400,634.44	4,112,668.03	-3.34%	93.95%
FY 04-05	49,792	357,576.55	352,883.86	314,145.09	272,738.24	338,402.75	371,001.99	316,194.34	378,004.04	406,042.45	395,199.06	322,041.33	4,264,776.00	7.41%	
FY 03-04	49,810	261,747.21	329,034.93	283,100.19	301,120.25	330,827.51	279,316.39						3,961,168.48		

ARTICLES 40 & 42

FY 07-08	55,282	331,069.49	403,039.27	291,953.30											
FY 08-07	53,789	413,608.32	282,809.00	369,270.43	340,109.55	372,204.57	362,917.23	351,493.31	352,817.09	348,076.79	377,725.14	389,690.59	1,028,062.06	-19.96%	23.20%
FY 09-06	50,146	279,559.79	254,383.37	289,009.97	312,082.64	255,373.88	299,154.86	271,910.70	315,972.60	335,056.97	281,471.22	375,071.99	4,312,311.13	17.06%	111.41%
FY 04-05	49,792	282,177.03	250,890.06	243,401.07	228,972.81	284,355.74	257,714.57	220,205.68	279,348.06	247,318.99	288,453.26	301,173.54	3,684,120.11	16.40%	112.07%
FY 03-04	49,810	270,761.70	282,780.49	235,685.12	221,767.15	242,553.08	225,414.84	224,610.49	244,324.30	267,309.18	281,432.20	249,613.47	3,165,139.43	4.11%	
													3,040,171.39		

ARTICLE 44

FY 07-08	55,282	140,159.78	186,534.23	127,191.71											
FY 08-07	53,789	172,555.97	138,918.08	130,501.56	165,358.20	145,931.21	160,770.05	156,954.41	162,393.25	163,065.60	164,451.51	181,466.23	453,886.72	-18.77%	23.88%
FY 09-06	50,146	146,825.61	121,377.35	126,668.79	155,440.89	130,682.02	135,888.47	132,722.04	143,355.46	154,364.41	126,211.28	172,279.00	1,905,213.61	9.77%	101.80%
FY 04-05	49,792	139,862.18	131,021.24	122,895.11	113,446.52	130,021.64	142,678.73	121,934.04	147,255.31	127,837.37	151,725.06	155,924.98	1,736,571.15	6.89%	103.98%
FY 03-04	49,810	121,191.61	133,640.17	121,815.26	114,732.45	127,201.52	112,332.63	119,741.47	136,548.12	146,333.01	143,630.11	126,335.23	1,642,091.60	6.38%	
TOTAL													1,558,273.13		

FY 07-08	55,282	766,776.11	1,042,325.33	718,957.09											
FY 08-07	53,789	964,915.05	799,000.15	720,220.68	905,734.58	815,554.49	909,595.86	889,318.24	873,711.74	907,332.43	920,932.24	988,445.93	2,828,058.52	-20.53%	23.55%
FY 09-06	50,146	824,986.03	724,591.40	711,553.71	827,750.54	638,817.45	780,233.01	731,533.49	790,852.37	853,461.33	682,995.86	944,325.08	10,570,188.61	10.89%	102.28%
FY 04-05	49,792	779,615.76	734,855.16	690,441.27	615,157.57	732,760.13	617,395.28	684,041.82	817,198.26	684,848.66	838,711.85	857,332.96	8,552,360.29	6.19%	102.13%
FY 03-04	49,810	663,700.52	745,465.59	640,800.59	637,619.85	700,582.11	617,063.86	660,546.30	758,676.46	821,684.64	790,261.37	697,991.03	9,082,005.03	5.87%	
													8,559,612.98		